

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT District Attorney		(2) MEETING DATE June 27, 2006		(3) CONTACT/PHONE Daniel A. Hilford, Assistant District Attorney (805) 781-5800	
(4) SUBJECT Request to approve a Resolution authorizing the county to continue an agreement with the State Department of Justice for a Spousal Abuser Prosecution Program for 2006-2007. (Clerk's File)					
(5) SUMMARY OF REQUEST The District Attorney's Office requests authorization to reapply for grant funds made available through the Spousal Abuser Prosecution Program, which is administered by the State Department of Justice (DOJ). Requests for application for these funds were distributed to local District Attorneys.					
(6) RECOMMENDED ACTION It is recommended that our Board approve the attached resolution authorizing the District Attorney's Office to submit an application for State Department of Justice grant funds in the amount of \$33,261 for a Spousal Abuser Prosecution Program for 2006-2007. A twenty percent County match is required (\$6,652) for a program total of \$39,913.					
(7) FUNDING SOURCE(S) State Department of Justice		(8) CURRENT YEAR COST \$39,913		(9) ANNUAL COST \$39,913	
(10) BUDGETED? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <input type="checkbox"/> N/A					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): Administrative Office and County Counsel have reviewed this request.					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) <input type="checkbox"/> 1st, <input type="checkbox"/> 2nd, <input type="checkbox"/> 3rd, <input type="checkbox"/> 4th, <input type="checkbox"/> 5th <input checked="" type="checkbox"/> All			(14) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		(15) Maddy Act Appointments Signed-off by Clerk of the Board N/A
(16) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(17) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(18) NEED EXTRA EXECUTED COPIES? <input checked="" type="checkbox"/> Number: <u>1</u> <input type="checkbox"/> Attached <input type="checkbox"/> N/A			(19) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A			(21) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		(22) Agenda Item History <input type="checkbox"/> N/A Date <u>July 19, 2005</u>
(23) ADMINISTRATIVE OFFICE REVIEW <div style="text-align: center;">  </div> <div style="text-align: right; font-size: 2em; font-family: cursive;"> 6-27-06 B-31 </div>					

Gerald T. Shea
District Attorney

Daniel A. Hilford
Assistant District Attorney

Stephen F. Brown
Chief Deputy District Attorney

OFFICE OF THE DISTRICT ATTORNEY
County of San Luis Obispo



MEMORANDUM

TO: Board of Supervisors

FROM: Gerald T. Shea, District Attorney

DATE: June 27, 2006

SUBJECT: Resolution Authorizing the County to Continue an Agreement with the State Department of Justice for a Spousal Abuser Prosecution Program for 2006-07

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Recommendation

It is recommended that your Board approve the attached resolution authorizing the District Attorney's Office to submit an application to the State Department of Justice for grant funds in the amount of \$33,261 for a Spousal Abuser Prosecution Program for 2006-07. A twenty percent County match is required (\$6,652) for a program total of \$39,913.

Discussion

The goal of the Spousal Abuser Prosecution Program is to enhance the abilities of local prosecutors to prosecute spousal abuse cases and to minimize the emotional trauma for victims during the legal proceedings. The Spousal Abuser Prosecution Program was authorized under Assembly Bill 801, Chapter 599, Statutes of 1994. The program supports intensified efforts by District Attorneys in the prosecution of spousal abusers.

The objectives are achieved through vertical prosecution of Spousal Abuser Prosecution Program cases, reduced caseloads for Spousal Abuser Prosecution Program Investigators, utilization of trained Victim Witness staff and coordination with local victim support agencies. The grant includes the continued employment of a District Attorney Investigator.

Prior to the grant award in 1994-95, spousal abuse case investigations were handled by all District Attorney Investigators. After the grant was awarded, an Investigator was

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Board of Supervisors

Re: Spousal Abuser Prosecution Program 2006-07

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hired to exclusively investigate spousal abuse cases. This assured that one Investigator was assigned, ensuring that cases are investigated and prosecuted in a true vertical fashion. This approach has proven to reduce the trauma to victims and provide earlier and more thorough investigations. Thorough investigations lead to defendant confessions and early pleas without the necessity of a trial. This results in spousal victims not having to testify, which reduces trauma. Since the grant was implemented, conviction rates have risen, the number of cases have risen, and the trauma to spousal victims associated with their involvement in the criminal justice system has therefore been reduced significantly.

Other Agency Involvement

This requested has been reviewed by the Administrative Office and County Counsel.

Financial Consideration

The grant totals \$39,913, of which \$33,261 is from the State Department of Justice and \$6,652 from the county as a twenty percent required match. These funds may not supplant existing funding sources. This is the same as the 2006-07 level of funding.

Results

The renewal of this grant will allow victims of spousal abuse to be treated consistently by one District Attorney Investigator. Cases will continue to be investigated and prosecuted in a true vertical fashion.

This program is aligned with the District Attorney's goal to promote public safety through efficient and appropriate use of investigations and criminal sanctions so as to deter criminal activity, protect society and punish criminal conduct. The community wide result link is a safe community.

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IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

27th day of June, 2006

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE COUNTY TO CONTINUE AN AGREEMENT
WITH THE STATE OF CALIFORNIA FOR A SPOUSAL ABUSER PROSECUTION
PROGRAM FOR 2006-2007**

The following resolution is hereby offered and read:

WHEREAS, the County of San Luis Obispo desires to continue an agreement with the State of California Department of Justice to provide a prosecution program focusing on defendants under arrest for spousal abuse called the Spousal Abuser Prosecution Program;

WHEREAS, the Department of Justice is authorized pursuant to Penal Code §273.81 to fund prosecution activities for fiscal year 2006-2007;

WHEREAS, the purpose of the program is to enhance the abilities of local prosecutors to prosecute spousal abuse cases and to minimize the emotional trauma for victims during legal proceedings;

WHEREAS, the objectives are achieved through vertical prosecution of spousal abuse cases, reduced caseloads for spousal abuse prosecutors and investigators, utilization of trained victim witness staff and coordination with local victim support agencies;

WHEREAS, the funds provided under this agreement are to supplement existing services to victims and are not to supplant those currently provided by county funds;

WHEREAS, the County of San Luis Obispo agrees to provide a twenty percent match to the grant amount awarded to the County for the Spousal Abuser Prosecution Program;

WHEREAS, the County of San Luis Obispo agrees to hold the Department of Justice harmless from any claims that arise from the use of the grant monies;

WHEREAS, the County desires to participate in such a program for the prosecution of spousal abusers.

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