



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: District Attorney
Department No.: 021
For Agenda Of: December 13, 2016
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s): Joyce E. Dudley, District Attorney, x2308
Contact Info: Kerry Bierman, Chief Financial & Administrative Officer, x2304
SUBJECT: Fiscal Year 2016 – 2017 Renewal of Agreement with California Department of Insurance for Life and Annuity Consumer Protection Program Grant

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: N/A

Recommended Actions:

It is recommended that the Board of Supervisors:

- a) Adopt a Resolution authorizing the District Attorney to execute a Grant Award Agreement with the California Department of Insurance for the Life and Annuity Consumer Protection Program Grant for the period of July 1, 2016 through June 30, 2017 in the amount of \$60,000.00; and
- b) Determine that the above action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), because it consists of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

Summary Text:

The District Attorney has a duty to protect the rights of victims of crime, where “victims of crime are entitled to have the criminal justice system view criminal acts as serious threats to the safety and welfare of the people of California” (*Cal. Const. Art. I §28(a)(2)*). The Department of Insurance awarded these grant funds to prosecute life and annuity abuse often perpetrated against vulnerable older adults.

Background:

The Life and Annuity Consumer Protection Program (LACPP) was established through AB 2316 and took effect in January 2005 as California Insurance Code §10127.17. The LACPP establishes a fund to be used by the California Department of Insurance and local District Attorneys exclusively to protect

consumers of life insurance and annuity products in the State of California. The purpose of the program is to distribute funds to District Attorneys for the identification, outreach, victim advocacy, investigation and prosecution of life insurance and annuity financial abuse by insurance licensees or persons holding themselves out to be insurance licensees, or any person purporting to be engaged in the business of insurance. This is the sixth year of funding.

This grant will provide partial funds for one part-time Deputy District Attorney (DDA) who will assist in the identification, investigation and prosecution of life and annuity financial abuse. The DDA will act as a liaison to local law enforcement and the California Department of Insurance when cases of potential abuse are discovered. Victim-Witness Assistance Program Advocates are available to provide identified victims with services to help them recover from emotional and financial injuries, including but not limited to resource and referral counseling and case status updates.

Fiscal and Facilities Impacts:

Budgeted: Yes

Revenues and appropriations are included in current and future budgets.

Fiscal Analysis:

| <u>Funding Sources</u> | <u>Current FY Cost:</u> | <u>Annualized On-going Cost:</u> | <u>Total One-Time Project Cost</u> |
|-------------------------------|--------------------------------|---|---|
| General Fund | | | |
| State | \$ 60,000.00 | \$ 60,000.00 | |
| Federal | | | |
| Fees | | | |
| Other: | | | |
| Total | \$ 60,000.00 | \$ 60,000.00 | \$ - |

The costs above include \$40,290.00 in salaries and \$19,710.00 in benefits for one 0.32 FTE Deputy District Attorney.

Key Contract Risks:

The District Attorney has been awarded this grant from the California Department of Insurance annually for the past five years. There is minimal risk to the County.

Staffing Impacts:

| <u>Legal Positions:</u> | <u>FTEs:</u> |
|---------------------------------------|---------------------|
| Deputy District Attorney (Extra-Help) | 0.32 |

Special Instructions:

Please return one (1) Minute Order and one (1) Resolution to Nicole Acosta, DA Business Specialist.

Attachments:

- Attachment A: Board Resolution
- Attachment B: Grant Award Agreement

Authored by:

Nicole Acosta, Department Business Specialist