



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: September 22, 2009  
Placement: Administrative  
Estimated Tme:  
Continued Item: Select\_Continued  
If Yes, date from:  
Vote Required: Select\_Vote

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**TO:** Board of Supervisors

**FROM:** District Attorney Name & Phone: Christie Stanley, x2308  
Contact Info: Name & Phone: Marnie Pinsker, x2304

**SUBJECT:** **Adoption of Resolutions Authorizing the District Attorney to renew Agreements with the State Victim Compensation and Government Claims Board for the Victim Claims Verification Services and the Restitution and Recovery Programs**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Adopt a Resolution authorizing the District Attorney to execute a Joint Powers Agreement with the State Victim Compensation & Government Claims Board for a three year extension of Victim Claims Verification Services effective July 1, 2009 through June 2012, for a total of \$730,872; and
- b) Adopt a resolution authorizing the District Attorney to renew the Criminal Restitution Compact with the State Victim Compensation and Government Claims Board in the amount of \$95,787 in FY 2009-10.

**Summary Text:**

These agreements with the State Victim Compensation and Government Claims Board enhance services provided to victims by the District Attorney's Office. The Victims of Violent Crimes (VVC) Claims Verification enables victims to obtain financial recovery of losses experienced as a result of a violent crime, from the State Victim Restitution Fund. The Restitution and Recovery Compact assists the State to maintain the integrity of this Fund by maximizing recovery of restitution fines and penalties ordered and collected locally. Separate resolutions are required to authorize the District Attorney to execute these agreements, as well as comply with non-supplanting State funds.

**Background:**

Since FY 87-88, the District Attorney has contracted with the State Victim Compensation and Government Claims Board to verify claims for victims of crime to obtain reimbursement for losses suffered as a result of a serious crime. Victims Compensation Claims Specialists, housed in the North and South County offices, determine whether applicants meet State eligibility requirements for the Victims of Crime Program and then

verify that the claims filed include all necessary documentation regarding the crime and determine that the services are crime related. The Claims Specialists also recommend award or denial of Victim Compensation Claims directly to the Victim Compensation and Government Claims Board, expediting the process for payment of victim claims. In the FY 08/09 a total of 897 victim claims were verified and submitted, returning \$1,450,650 in reimbursement to victims, hospitals, counselors and other providers.

The Criminal Restitution Compact was initiated in January 2000 to assist the State Board Revenue Recovery and Appeals Division to improve the criminal restitution system. The State established contracts with various District Attorney Offices to maximize the recovery of criminal restitution fines, which is the source of financing to reimburse victim losses incurred as a result of a violent crime. This contract will provide \$95,787 this fiscal year, which finances one paralegal position to ensure that statutory restitution fines and penalty assessments are included in court orders.

**Performance Measure:**

Obtain restitution orders in 90% of the cases with a named defendant when VVC claim has been filed.

**Fiscal and Facilities Impacts:**

Budgeted: Yes, revenues and appropriations are included in current and future budgets.

**Fiscal Analysis:**

<u>Funding Sources</u>	<u>FY 08-09 Revenue:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State	\$ 339,411.00	\$ 243,624.00	
Federal			
Fees			
Other: Designation			
Total	\$ 339,411.00	\$ 243,624.00	\$ -

**Narrative:**

The FY 09-12 Victim Compensation Claims Verification Program Agreement totals \$730,872 (\$243,624 annually) to reimburse program expenditures, providing \$185,009 annually to finance two Claims Specialists and .5 clerical support, along with \$26,909 in operating costs and overhead costs. Program expenses and revenue have been budgeted in the FY 07-08 budget. The Criminal Restitution Compact agreement finances the \$81,442 in salary & benefit costs along with \$12,345 in operating costs and overhead charges for FY 07-08. Program expenditures and revenues are included in the budget. The FY 08-09 budget will include the same financing and service levels for both programs.

**Staffing Impacts:** Positions below are currently budgeted

<u>Legal Positions:</u>	<u>FTEs:</u>
Admin. Office Professional	2.5
Paralegal	1.0

**Special Instructions:**

Please return executed copy of resolution to Marnie Pinsker, DA Administrative Director

**Authored by:** Marnie Pinsker, DA Administrative Director