



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 2, 2014
Placement: Administrative
Estimated Tme:
Continued Item:
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Head: Joyce E. Dudley, District Attorney, 568-2308
Contact Info: Megan Rheinschild, Victim Witness Program Manager, 568-2408
SUBJECT: Renewal of Agreement with the California Department of Insurance for a 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:

Adopt the attached resolution authorizing the District Attorney to renew the agreement with the State Department of Insurance for the Life and Annuity Consumer Protection Program Grant in the FY 2014-15 budget.

Summary Text:

The mandatory duty of the District Attorney is to diligently and vigilantly pursue those who may have violated the criminal codes of the state (*Cali. Govt. Code §26500*). The District Attorney also 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 community” (*Cali. Const. Art. I §28(a)(2)*).

The Santa Barbara County District Attorney Victim-Witness Assistance Program is recognized by the Board of Supervisors as the only County agency designated to provide comprehensive victim and witness services to crime victims pursuant to Penal Code §13835 et seq., which includes outreach to increase access to services by vulnerable victims of crime. The Department of Insurance awarded \$14,500 in grant funds to provide direct outreach and advocacy services to potential victims of crime who may become victims of financial abuse and exploitation in the realm of life insurance and annuities.

Due to a shortage in State Department of Insurance Funding, the grant was reduced from \$15,000 in FY 13/14 to 14,500 in FY 14/15. To maintain the program, our department will provide an additional \$35,000 in one-time funding. The impact of targeted radio, print media and educational outreach has yielded not only an increase in suspected annuity fraud reports but also physical and financial abuse reports to law enforcement and the District Attorney. This funding will enable staff to maintain targeted outreach efforts raising community awareness and enhancing services to victims of elder abuse. Our department will research and seek State and Federal Grant funding opportunities with the goal of sustaining an elder outreach and prosecution program into future years. The grant and department funds will cover the salary costs of one Extra Help Deputy District Attorney working equivalent of .21 FTE.

Background:

The Life and Annuity Consumer Protection Program (LACPP) was established through AB 2316 and went into effect in January 2005 as California Insurance Code §10127.17. The LACPP establishes a fund to be used exclusively for protecting consumers of life insurance and annuity products in the State of California, by both the California Department of Insurance and local District Attorneys. 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. The Grant Funding Cycle will be for the current fiscal year through June 30, 2015. This is the fourth year of funding. Department of Insurance Funding grant funding was reduced from \$50,000 in FY 12/13 to \$14,500 in FY 14/15 due to dwindling resources dedicated to this State Grant Program.

Grant funds will provide partial funds for one Extra Help Deputy District Attorney who will conduct educational presentations to the community regarding the identification of annuity fraud, general reporting procedures and available law enforcement and prosecution resources. The Deputy District Attorney will act as liaisons to local law enforcement and the California Department of Insurance when cases of potential abuse are discovered. The Victim-Witness Assistance Program is 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.

Performance Measure:

Increase services to elders (measured in the number of new referred cases of elder financial and physical abuse). Increase educational outreach presentations to potential victims of elder abuse (physical and financial).

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	\$ 14,500.00		
Federal			
Fees			
Other:	\$ 35,000.00		
Total	\$ 49,500.00		

The costs in the above table include \$49,500 in salary expenses only for one Extra Help Deputy District Attorney.

Staffing Impacts:

Legal Positions:

1 Extra Help Attorney

FTEs:

.21

Special Instructions:

Please return executed agreement to Megan Rheinschild, Victim Witness Program Manager

Attachments:

Resolution

Authored by:

Megan Rheinschild, Victim Witness Program Manager