



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 11, 2018  
**Placement:** Administrative  
**Estimated Tme:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Director: Joyce E. Dudley, District Attorney, x2308  
Contact Info: Michael Soderman, Chief Financial & Administrative Officer, x2303  
**SUBJECT:** **Renewal of Agreement with California Department of Insurance for Life and Annuity Consumer Protection Program Grant, Fiscal Year 2018 - 2019**

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

It is recommended that the Board of Supervisors:

- a) Adopt a Resolution approving, ratifying, and 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, 2018 through June 30, 2019 in the amount of \$95,998.00; 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" (*Cali. Const. Art. I §28(a)(2)*). The California Department of Insurance (DOI) awarded these grant funds to prosecute life and annuity abuse often perpetrated against vulnerable older adults.

Board approval is required to receive grant revenue and continue this program in Fiscal Year 2018-19. In order to meet state deadlines and properly receive the grant funding, the District Attorney preliminarily executed the grant agreement pending formal authority from the Board of Supervisors.

**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 DOI and local District Attorneys 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 grant will provide partial funds for one 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 DOI 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 case status updates and referrals to counseling and other resources.

**Fiscal and Facilities Impacts:**

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

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund			
State	\$ 95,998.00	\$ 95,998.00	
Federal			
Fees			
Other:			
Total	\$ 95,998.00	\$ 95,998.00	\$ -

One Deputy District Attorney will work on efforts Countywide. Fiscal Year 2018-19 funding includes the award of \$65,691 as well as prior year carryover of \$30,307, for a total allocation of \$95,998. This includes \$95,998.00 in salary and benefit costs to partially-fund one DDA at 0.48 FTE.

**Key Contract Risks:**

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

**Staffing Impacts:**

<b><u>Legal Positions:</u></b>	<b><u>FTEs:</u></b>
Deputy District Attorney IV	0.48

**Special Instructions:**

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

**Attachments:**

Attachment A: Board Resolution

Attachment B: Grant Award Agreement

**Authored by:**

Nicole Acosta, Department Business Specialist (x2413)