



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 14, 2021  
**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, x82308  
Contact Info: John Savrnock, Chief Deputy District Attorney, x82369  
**SUBJECT:** **Renewal of Agreement with California Department of Insurance for Life and Annuity Consumer Protection Program Grant, Fiscal Year 2021-2022**

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

It is recommended that the Board of Supervisors:

- a) Adopt and authorize the Chair to execute 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, for the award period of July 1, 2021 through June 30, 2022, in the amount of \$65,000; and
- b) Approve and authorize the District Attorney, or designee, to execute any future amendments to extend the term of the Grant Award Agreement through December 31, 2022, or to increase the grant award in an amount not to exceed an additional \$50,000, with the concurrence of Risk Management, County Counsel, and Auditor-Controller; and
- c) Determine that the above recommended actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), because they consist 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 Life and Annuity Consumer Protection Program (LACPP) is a State Department of Insurance program that provides funds to District Attorneys for the identification, outreach, victim advocacy, enhanced

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.

Board approval is required to receive grant revenue and continue this program in Fiscal Year 2021-22. 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:**

In 2004, the State of California enacted the Life and Annuity Consumer Protection Program, to curb life insurance and annuity financial abuse, particularly against senior citizens. This program is funded by an assessment on all newly issued life insurance and individual annuity policies sold to California residents. A portion of these funds are distributed to District Attorneys throughout California for the prosecution of life insurance and annuity fraud cases.

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 Department of Insurance when cases of potential abuse are discovered. In addition, funding for expert witness services of a contracted Forensic Accountant will aid in the prosecution of insurance-related crimes.

**Fiscal and Facilities Impacts:**

Budgeted: Yes. Revenues and expenditures are included in the Fiscal Year 2021-22 budget.

**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	\$ 65,000.00		
Federal			
Fees			
Other:			
Total	\$ 65,000.00	\$ -	\$ -

One part-time DDA and one part-time Legal Office Professional will work on annuity insurance fraud efforts Countywide. In addition, funds to cover a contracted Expert Witness/Forensic Account are included in the award. Fiscal Year 2021-22 funding is \$65,000 to fund Salaries and Employee Benefits, and Contractual Services. There is no match requirement for this award.

**Key Contract Risks:**

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

**Staffing Impacts:**

<b><u>Legal Positions:</u></b>	<b><u>FTEs:</u></b>
Deputy District Attorney III	0.25
Legal Office Professional Sr	0.10

**Special Instructions:**

Please return one (1) Minute Order and one (1) duplicate original Resolution to John DeAlba, DA Department Business Specialist.(x82434)

**Attachments:**

- A. Board Resolution
- B. Grant Award Agreement
- C. Grant Award Budget

**Authored by:**

Danielle Spahn, Team Project Leader (EXH)