



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 Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Joyce E. Dudley, District Attorney, x2308
Contact Info: Michael Soderman, Chief Financial & Administrative Officer, x2304
SUBJECT: Cal OES Unserved/Underserved Victim Advocacy and Outreach Program Grant Award

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Adopt the Board Resolution in Attachment A approving, ratifying, and authorizing the District Attorney to execute a Grant Agreement with the California Governor's Office of Emergency Services (Cal OES) accepting the Unserved/Underserved Victim Advocacy and Outreach (UV) Program grant award for the award period of April 1, 2017 through September 30, 2018 in the amount of \$262,500.00; 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, and approve the filing of a Notice of Exemption on that basis.

Summary Text:

The Unserved/Underserved Victim Advocacy and Outreach (UV) Program provides outreach to victims of violent crime within the unserved and underserved communities of the Immigrant Spanish- and Indigenous-speaking agriculture workforce in the Santa Maria Area. Funding through Cal OES supports 2.0 FTE Victim Advocates who provide mandatory and optional services to victims in accordance with the OES program guidelines and the Penal Code section governing Victim-Witness Assistance Programs. In addition, a portion (0.10 FTE) of the Victim Witness Program Manager's time is being dedicated to

supervising the Victim Advocates and overseeing the program. This in-kind time serves as the required cash match for the program.

Per the California Governor's Office of Emergency Services Grant Agreement, the District Attorney is required to obtain the Board of Supervisors approval to accept the grant award. Although the Cal OES grant revenue and expenditures were approved during the budget development process for the award period, staff identified that Board acceptance of the grant award was still required. The purpose of this Board Letter is to request Board acceptance of the Grant Agreement with Cal OES for the Unserved/Underserved Victim Advocacy and Outreach (UV) Program grant award for the award period of April 1, 2017 through September 30, 2018, in the amount of \$262,500.00.

Background:

Northern Santa Barbara County is primarily agricultural, and home to a large immigrant Spanish and Indigenous-speaking workforce. Northern Santa Barbara County's agricultural economy continues to expand due to a steady increase in the production of labor-intensive crops. According to the 2010 census, 70% of the City of Santa Maria, the most populous in the county, was "Hispanic" up from 60% in 2000. This is considerably higher than the County average of 25% and the state percentage of 28%. According to a report entitled "*Indigenous Farmworker Study*" commissioned by the California Endowment dated January 2010, it is estimated between 15,000 and 25,000 Indigenous immigrants have migrated to work in the area due to the agricultural economy. Indigenous immigrants are more vulnerable than other Latino immigrant populations because they speak a Native American language as their first language, and do not self-identify as Indigenous or readily admit that they do not speak Spanish fluently. The majority of California's indigenous farmworkers come from a very concentrated area in the Western and Southern Mexican states of Oaxaca and in Eastern Guerrero. The most predominant Indigenous populations in the geographic area of focus are Mixtec and Triqui, respectively.

Indigenous populations face greater challenges than other Latino immigrants. Both immigrant communities are difficult to reach given that there can be a prevailing mistrust of strangers, as many have immigrated from small, isolated rural villages. Furthermore, the population is unfamiliar with and fearful of the law enforcement and criminal justice systems. National immigration policies increase fears of deportation, driving the community further into the shadows and discouraging any voluntary contact with law enforcement. The immigrant community's fears coupled with cultural and social isolation is a primary contributor in accessing assistance and law enforcement's inability to solve violent crimes.

The District Attorney's Office originally applied for the Underserved/Unserved Victim Advocacy and Outreach Grant in 2010, and was awarded funding for a 1.0 FTE Victim Advocate specifically assigned to create bridges between the criminal justice system and the immigrant community, by co-locating with a local non-profit that serves the immigrant community in the city of Santa Maria. Funding has increased over the years, and now covers 2.0 FTEs. In the first seven years, program staff has forged critical relationships with key members of the Indigenous community and continue to identify opportunities for outreach and collaboration. Specifically, program staff has identified tribal leaders within the Oaxacan community who have assisted in bridging the gap between the Victim Assistance Program staff and the Community. Program staff has also forged critical relationships with agencies that specifically provide service to the immigrant community including Legal Aid, California Rural Legal Assistance, Promotoras and Lideres Campesinas.

Program staff outreach through a contract with local radio outlet, Emerald Radio, including live radio shows and radio spots offering resource and referral information. In addition to outreach, Victim Advocates provide the following referral services to victims:

- *Crisis Intervention*: Short-term emotional and physical care shortly after the crime occurs and in the early stages of investigation.
- *Counseling*: Referrals to qualified clinical therapists.
- *Criminal Justice Support and Advocacy*: Basic information regarding the criminal justice system, defining legal terms, and offering assistance to victims of crime who may not have reported the crime or be known to law enforcement. This support includes: provides the victim’s input to the Deputy District Attorney (DDA) and the court; accompany victims to the District Attorney’s Office for meetings with the DDA and Investigators; ensures that the Victim is offered a protective order through the criminal proceedings if the victim fears for her/his safety; accompany victims to court to provide input or observe the process; ensures that the victims’ losses are documented and included in criminal restitution orders; assist victims to track the restitution order beyond sentencing and advocate collection via Probation; arrange for transportation and child care assistance when needed; and assists victims who want to make a victim impact statement at sentencing, including speaking on their behalf if they choose.
- *Crime Victim Compensation Assistance and Emergency Assistance*: Assist victims to file claims with the State Victim Compensation Board and provide emergency funds for immediate needs.
- *Other Referrals*: Advocates provide referrals to other community resources, as needed.

Fiscal and Facilities Impacts:

Budgeted: Yes. Revenues and expenditures are included in the Fiscal Year 2018-19 Recommended Budget.

Fiscal Analysis:

The grant award reflects 1.5 years of program expenses for the period of April 1, 2017 through September 30, 2018. The grant funding spans across two fiscal years. The total project cost is \$328,125, which includes the \$262,500 grant award and a \$65,625 cash match. The cash match was included in the District Attorney’s Fiscal Year 2017-18 and Fiscal Year 2018-19 Adopted Budgets.

| UV Grant Award Schedule | | | |
|---------------------------------------|----------------------------------|----------------------------------|---------|
| <u>Federal Funding Sources</u> | <u>Grant Award Period</u> | <u>Grant Award Amount</u> | |
| FFY 2015 VOCA | 4/1/2017 – 9/30/2018 | \$ | 230,993 |
| FFY 2016 VOCA | 4/1/2017 – 9/30/2018 | \$ | 31,507 |
| <i>Total Grant Award</i> | | \$ | 262,500 |

Key Contract Risks: There is minimal risk to the County. Funds are reimbursed after program expenses are incurred.

Special Instructions:

The Clerk of the Board shall post the Notice of Exemption upon Board approval. Please return one (1) Minute Order, one (1) copy of the Grant Award Resolution, and one (1) copy of the approved Notice of Exemption to Nicole Acosta, DA Department Business Specialist.

Attachments:

- a) Board Resolution
- b) Grant Award
- c) Grant Budget
- d) Notice of Exemption

Authored by:

Danielle Spahn, Team Project Leader