



## Legislation Text

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**File #:** 24-0991, **Version:** 1

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District Attorney recommending the Board consider the following:

- 1) Approve the use of Department of Justice Asset Forfeiture Funds to offset annual Science-Based Interview training/travel/hosting expenses, the increase of contractual professional development services cost under agreement 8050 with Nick Warner via amendment I, and office furniture costs for the South Lake Tahoe location, all in the total estimated amount of \$90,901 for Fiscal Year (FY) 2023-24;
- 2) Approve the use of AB109 Realignment Funds (DA/PD Subaccount) to offset professional service costs related to the Sicuro Racial Justice Act Project in the estimated amount of \$35,000 for FY 2023-24; and
- 3) Approve and authorize the Chair to sign FY 2023-24 budget transfer increasing revenue and appropriations within the District Attorney's General Fund by \$220,501, composed of the amounts listed above and \$94,600 in Equitable Sharing Funds that were approved for use in a prior Board item. (4/5 vote required)

**FUNDING:** Department of Justice Asset Forfeiture Equitable Sharing Funds and AB109 Realignment Funds (DA/PD Subaccount).

### **DISCUSSION / BACKGROUND**

#### **Equitable Sharing Funds**

The District Attorney's Office (DA), through an agreement with the Federal Department of Justice (DOJ), receives monies for assets seized by partner agencies, also referred to as Equitable Sharing Funds (EQSHR). The funds are deposited into a sub fund until such time the District Attorney requests the use of the funds per the guidelines established in the Equitable Sharing agreement with DOJ. One of the requirements outlined is obtaining Board approval for the use of EQSHR funds. According to the guidelines, EQSHR funds shall be used by law enforcement agencies for law enforcement purposes only, which includes a wide range of operational expenses. The District Attorney is requesting the use of \$90,901 from the EQSHR fund to support the expenses outlined below (costs provided are estimates):

#### **1. Science-Based Interview Training (Hosting Fees & Travel Expenses) - \$77,041**

The District Attorney's Office hosts several Science-Based Interview Training courses throughout the fiscal year. This interview training delivers a flexible approach optimizing interactions during victim and witness interviews, suspect interrogations, informant debriefings, and community engagements. Through a subject-oriented approach, science-based interviewing has been shown to create a space for engagement that both increases the likelihood that the interviewee will choose to participate in a meaningful manner and substantially increases relevant information yield. For current FY 2023-24, the estimated cost for the conference venue rental(s) is \$48,950; the estimated cost for training equipment and supplies is \$1,836; and the estimated travel cost for DA staff to attend the courses is \$26,255.

#### **2. Nick Warner Consulting Services Increase - \$6,000**

On November 19, 2023, with Legistar file 23-1448, the Board approved the use of Equitable Sharing

Funds to support contracted professional development consulting services provided by Nick Warner in the amount of \$10,000. Amendment I to Agreement 8050, for said services, was executed on May 1, 2024, increasing the amount by \$6,000 for the extension of services. The department is requesting the use of Equitable Sharing Funds for the increase in services required, for an updated total cost of \$16,000.

### **3. South Lake Tahoe District Attorney Office Furniture - \$7,860**

The District Attorney's Office in South Lake has not received any renovation or furniture update in over 15 years. Desks have become worn and inoperable; chairs have stains/holes in the padding and are comprised of various makes and models; bookshelves are old with sagging shelves; office cabinets are unbalanced. New office furniture, shelving, cabinets, and chairs are needed to accommodate updates in technology equipment. The current office has an unprofessional appearance and is often in view of victims, witnesses, law enforcement, and defense attorneys. It is estimated that the total cost of new desk, bookshelves, cabinets, chairs, and tables will be \$7,860.

### **AB109 Realignment Funds (District Attorney/Public Defender Subaccount)**

Per government code section 30025(f)(12), AB109 Realignment funds allocated to the District Attorney/Public Defender Subaccount shall be used to fund costs associated with revocation proceedings involving persons subject to state parole and may be used to fund planning, implementation, and training costs for these proceedings.

The District Attorney is requesting the use of \$35,000 from the AB109 Realignment Fund to support fiscal year 2023-2024 expenses for professional services provided by Sicuro Data Analytics, LLC (Sicuro) under the Racial Justice Act Project (County Agreement #8299). Sicuro will provide statistical analysis of criminal charging and outcomes as outlined under the Racial Justice Act by extracting data elements from the District Attorney's prior and current case management systems. Vendor services provided under this project will prepare the District Attorney's Office in responding to Racial Justice Act motions and re-sentencing hearings of persons convicted of serious and violent offenses.

### **ALTERNATIVES**

Should the Board opt not to approve the use of EQSHR and AB109 funds, the department would need to request General Fund appropriations to support these operational expenses.

### **PRIOR BOARD ACTION**

04/30/2024 Legistar file 24-0359 - Board approved Amendment I to Agreement 8050 with Nick Warner Consulting, LLC.

03/05/2024 Legistar file 24-0128 - Board approved the execution of agreement 8299 with Gregory DeAngelo, dba Sicuro Data Analytics, LLC for a 3 year term with a not to exceed amount of \$275,000.

11/19/2023 Legistar file 23-1448 - Board approved District Attorney request to use Federal Equitable Sharing Funds to support Law Enforcement initiatives.

09/20/2022 Legistar file 22-1636 - Board approved District Attorney request to use Federal Equitable Sharing Funds to support Law Enforcement initiatives.

08/16/2022 Legistar file 22-1409 - Board approved District Attorney request to use Federal Equitable Sharing Funds to support Law Enforcement initiatives.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Auditor Controller's Office

## **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

## **FINANCIAL IMPACT**

There is no change to Net County Cost as the use of Equitable Sharing Funds and AB109 Realignment funds are being requested. The enclosed budget transfer increases revenue and appropriations in the District Attorney's FY 2023-24 budget by a grand total of \$220,501 (\$185,501 EQSHR Funds + \$35,000 AB109 Funds) to support the expenses outlined above and mentioned below.

The total budgeted drawdown of \$185,501 in EQSHR funds is comprised of \$90,901 from this request, as well as \$94,600 from a prior request (Legistar file 23-1448, approved on November 19, 2023). As mentioned in item 23-1448, a budget transfer for the requested \$94,600 to cover Tailored Training SBI service costs and the original Nick Warner consulting fee was to be presented to the Board at a later date due to the potential interference with Adopted Budget processes at the time.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

Upon approval, Clerk of the Board to forward executed budget transfer to the Auditor Controller's Office.

## **STRATEGIC PLAN COMPONENT**

N/A

## **CONTACT**

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