

# Application Information

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Application No: 24-004408

Application Type:	Vertical Prosecution	Agency (City or County):	<a href="#">San Bernardino County</a>	Department (Police Dept, DA Office, etc):	<a href="#">San Bernardino County District Attorney's Office</a>
Authorized Representative:	<a href="#">Jason Anderson</a>	DUNS/SAM Number:	E81BMEGBU6R3	DUNS/SAM Expiration Date:	4/1/2023
DUNS/SAM Registered Address:	303 West 3rd Street	DUNS/SAM City:	San Bernardino	DUNS/SAM ZIP+4:	92415-0502

# Application Summary

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Grants Made Easy Application Titles and Descriptions are pre-populated. For General Grants, provide an Application Description.

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Application Title:

Alcohol and Drug Impaired Driver Vertical Prosecution Program

Application Description:

The County District Attorney's Office (or City Attorney's Office) will assign a specialized team to prosecute alcohol and drug impaired driving cases. The prosecution team will handle cases throughout each step of the criminal process. Prosecution team members will work with the office by obtaining and delivering specialized training. Team members will share information with peers and law enforcement across the county and across the state. The office will accomplish these objectives as a means to prevent impaired driving and reduce fatalities and injuries.

Problem Statement:

San Bernardino County is home to the deadliest road in the entire State of California. CBSLA Statewide: "San Bernardino County has the deadliest road in California." CBS Los Angeles, October 2022.

<https://www.cbsnews.com/losangeles/news/cajon-pass-named-deadliest-road-in-california/>. Accessed 4, Jan. 2023. Delving into the jurisdiction have the deadliest road, San Bernardino County, it is home to the Fifth and Ninth of the deadliest roads in the state, according to Asperin, Alexa. "These are California's 10 deadliest roads." Fox 11, 20 Sept. 2022.

<https://www.foxla.com/news/california-10-deadliest-roads>. Accessed 4, Jan. 2023. Delving into the deadliest roads in the state, Interstate 15 between Exit 138 and Exit 129, accounted for 4.2 fatal accidents per mile, the section between Exit 129 and Exit 39, accounted for 2.7 fatal accidents per mile while Bear Valley Road between Navajo Road and Exit 39, accounted for 2.7 fatal accidents per mile.

2.1 fatal accidents per mile. Milnes, Doug. "Where are California's Deadliest Roads, and What Factors Contribute to the Most Fatal Accidents?" Money Geek, 26, Sept. 2022. <https://www.moneygeek.com/insurance/auto/resource> Accessed 4, Jan. 2023. San Bernardino County also ranked number two in overall fatal accident in the number of drunk driving fatalities between 2017 and 2019. *Id.*

Recent statistics from the California Highway Patrol are similarly disturbing. When the number of fatal collisions in San Bernardino County along with Los Angeles and Riverside Counties using SWITRS data, for 2020 and 2021, San Bernardino County has continued to be more deadly than Riverside County. In the attached document, one factor is that San Bernardino County had more fatal collisions than Riverside County for the last three years, but had fewer fatal collisions per mile as a result of a higher population factor. However, the percentage of DUI collisions as the primary factor of the total amount of fatal collisions in San Bernardino County as compared to Los Angeles, has been significantly higher.

This paints a grim picture of what is occurring in San Bernardino County: we have an issue with a high percentage of fatal collisions that occur in San Bernardino County, given they have approximately 24 people per square mile in San Bernardino County, according to the latest Census data, compared to Los Angeles County, 335.4, however, they do not have more fatal collisions in this time period.

In late 2021, prosecutors from seven California counties warned of a rapid rise in driving under the influence cases. Thompson, Don. "California prosecutors warn of surge in deadly DUI crashes." *SFGATE*, 22 Dec 2021. [www.sfgate.com/news/article/California-prosecutors-warn-of-surge-in-deadly-16724056.php](https://www.sfgate.com/news/article/California-prosecutors-warn-of-surge-in-deadly-16724056.php). Accessed 5 Jan. 2023. San Bernardino County has not been immune from the growing problem of driving under the influence.

While we cannot state the precise impact as to DUI filings between Fiscal Year 2021 and 2022, the Traffic Safety Grant unit is carrying a heavy caseload. Between the two assigned prosecutors, cumulative caseloads include 15 homicides. This does not account for the entirety of open vehicular homicide cases involving intoxicated drivers. There is a need for more specialized prosecutors to attend to these offenders. These cases often involve multiple victims killed in these tragic cases. These cases also take a discernable toll on the prosecutors through the experience of the grief of the family members first hand, both at the scene of collisions and later in court. The family members of these victims will most often appear at every hearing on a particular case. These cases then entail discussions with the family that appeared. Sometimes these discussions become emotional. In these cases, they carry, these cases often involve graphic photos of the victims of these collisions as well as the details of the collisions.

What needs to be cultivated is specialization in driving under the influence cases which involve fatalities. There is a need for more experienced, specialized prosecutors due to burn out. Burn out is a real concern in the legal profession. A study found that attorneys who reported a decline in well-being were almost three times more likely to report that they are actively seeking new employment, compared to those who reported an increase in well-being. Miller-Kuawana, Karen and Ouyang, Linda. "ANALYSIS: Attorney Well-Being Declines as Burnout on the Rise" *Bloomberg Law*, 3 Mar. 2022.

<https://news.bloomberglaw.com/bloomberg-law-analysis/analysis-attorney-well-being-declines-well-being> Accessed 5 Jan. 2023. The District Attorney's Office in Galveston County, Texas voiced the concern regarding prosecutor shortage, burnout" *The Daily News*, 18 Aug. 2022.

[https://www.galvnews.com/news/da-worried-about-prosecutor-shortage-burnout/article\\_97626c6](https://www.galvnews.com/news/da-worried-about-prosecutor-shortage-burnout/article_97626c6) Accessed 5 Jan. 2023. It would be a benefit to the community to have more specialized prosecutors to handle these cases. Experienced and thorough prosecutions of a growing caseload of these tragic cases involving driving under the influence. The number of specialized prosecutors involved in these cases will reduce the instances of burnout and the need for specialized prosecutions involving driving under the influence.

The problem of driving under the influence of drugs has been reported as commonplace in the United States. HealthDay. "Drugged Driving a Growing Threat." *NEWSMAX*, 4 Feb. 2021. [www.newsmax.com/health/health-news/driving-drugs-opioid-pot/2021/02/04/id/1008633/](https://www.newsmax.com/health/health-news/driving-drugs-opioid-pot/2021/02/04/id/1008633/). Accessed 5 Jan. 2023. The lead author concluded there needed to be a focus of effort on drugged driving in addition to drunk driving. "Drugged Driving a Growing Threat." *Id.*

In December of 2022, the National Highway Traffic Safety Administration published "Alcohol and Fatally Injured Road Users." The study found, 55.8% of the injured or killed roadway users tested positive for alcohol.

which included alcohol. The most prevalent of the drug categories was cannabinoids, 25.1%, alcohols, 9.3%. Thomas, F. D., Darrah, J., Graham, L., Berning, A., Blomberg, R., Finstad, K., Grieco, R., Lai, J., Mohr, N., Chenoweth, J., Cunningham, K., Babu, K., Dorfman, J., Van Heukelom, C. (2022, December). *Drug prevalence among seriously or fatally injured road users* (Recreational Marijuana). Highway Traffic Safety Administration. "Overall, 19.9% of the road users tested positive for two or more drugs."

"[Pam] Fischer [senior director of external engagement for the Governors Highway Safety Association] says it's a harder sell to the public than drinking and driving because there is no recognized drug standard for drunk driving. Some cannabis users still incorrectly think their motor skills aren't impaired and some people still think driving under the influence is just a minor offense." Pittsburgh Union Progress. "Federal study: Drug-impaired driving a growing problem" Pittsburgh Courier. <https://www.unionprogress.com/2022/12/17/federal-study-drug-impaired-driving-a-growing-problem/> While driving under the influence of marijuana is illegal in all 50 states and D.C., the absence of a standard for driving in California poses a significant challenge in successfully prosecuting a driver under the influence. There are tools on the horizon to detect THC-delta-9-tetrahydrocannabinol in the breath of a suspect, but they remain unproven. (Paris, Scientists Unveil Weed Breathalyzer, Launching Debate Over Next Steps, 2019). The presence of marijuana in a person's body doesn't consistently relate to impairment. Unfortunately "[a]s many people who use marijuana at the same time report getting behind the wheel within two hours of consumption and marijuana often drive afterward" IIHS, 20 Sept. 2022. <https://www.iihs.org/news/detail/people-who-combine-alcohol-and-marijuana-often-drive-afterward>

Recreational marijuana has become the new norm in society. The use and abuse of marijuana, its impact on the task of driving must be understood by a specialized prosecution team to effectively present it to a jury.

When collisions result in a death, a robust and specialized prosecution team is necessary to help answer questions from both law enforcement and the surviving families of the victims and if necessary, prosecutions require specialized training and understanding of the law and facts to explain to the jury.

cases. Such specialization naturally crosses over with the skills and training needed to successfully influence case. All victims of these tragic collisions and their families deserve a specialized prosecutor accountable.

Traffic Data Summary:

Complete the table below using SWITRS data and update the 20XX years in the table.

	2020				2021				2022	
Crashes	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Inj
Alcohol-Involved	53	773	66	1126	62	928	70	1413	26	75

Using the DMV DUI Management Information System (MIS) report, complete the table below.

	2017		2018		2019	
	Felony	Misdemeanor	Felony	Misdemeanor	Felony	Misde
Countywide DUI Arrests	330	7435	332	7250	345	6810

Using local data, complete the table below. If your data system cannot differentiate DUI cases by alcohol, alcohol row and include an explanation below the table.

	FFY-2019						FFY-2020						FFY-2021			
Cases	Reviewed		Filed		Guilty		Reviewed		Filed		Guilty		Reviewed		Filed	
DUI	Fel	Mis	Fel	Mis	Fel	Mis	Fel	Mis	Fel	Mis	Fel	Mis	Fel	Mis	Fel	Mi
Alcohol	430	4443	421	4421	393	4374	482	4806	475	4778	374	3465	*	*	*	*
Drug	3	4	3	4	8	43	4	19	4	19	0	6	*	*	*	*
Combo	71	387	69	384	43	256	143	934	136	902	72	353	*	*	*	*

\* The statistical gathering problem has not yet been solved. The totals for these are currently unreliable.

## Proposed Solution

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Equity:

San Bernardino County is the largest county in the lower 48 states with a diverse population. The residents come from diverse racial and socio-economic backgrounds who often make up our victims and our defendants. Given the size of the county, many times victims and defendants come from outside of the county, as they have been traveling through or simply visited the county. Having the Office of Traffic Safety Grant activities centered in one location, we treat all victims equally with the dignity and respect, across the spectrum of communities located within the county. Likewise, we treat defendants equally, according to the law and the facts of their individual case.

Strategies:

Through staff augmentation, training, outreach and coordination with law enforcement and data compilation and management, and most importantly, fair prosecution, the District Attorney's Office seeks to achieve the grant goals. The District Attorney's Office proposed to increase staff for a vertical driving under the influence and vehicular homicide prosecution group, with emphasis on the prosecution of driving under the influence cases and training of general staff to prosecute vehicular crimes.

Previously, the Office of Traffic Safety awarded a grant to the Office for the use of two prosecutors for driving under the influence cases as well as a dedicated investigator. As a result of that grant, two experienced prosecutors continued to be assigned to the Central office for the express purpose of handling serious driving under the influence cases, particularly *Watson* murders and gross vehicular manslaughter with intoxication cases with an emphasis on trial prosecution, mentorship and training.

The addition of personnel has resulted in specialized prosecution of more vehicular homicide cases involving intoxication. The newest prosecutor has prepared for trial, reviewed and issued cases, responded to fatal collisions, coordinated speakers for Regional Meetings, conducted preliminary hearings, attended DUI checkpoints, as well as mentorship of deputy District Attorneys, amongst other duties.

While only recently added to the unit, the dedicated investigator has already attended a DUI checkpoint as well as responded to a fatal collision. The investigator has proven invaluable in such a short period of time and his impact on cases in the future is apparent.

To address the driving under the influence activity and the number of vehicular deaths that occur on our roadways each year, the San Bernardino District Attorney proposes a team of 5 full time prosecutors along with a dedicated investigator. While we have three regions in our office, the prosecutors would not need to be assigned to a specific region, but they would be available to travel to any region that would need assistance as the assigned prosecutor is doing now. By having a vertical prosecution group that is not bound by office geographical limitations, specific locations in the county requiring more specialized assistance could receive the needed assistance, while improving the overall quality of prosecutions in the county. The additional prosecutors would also result in more outreach, mentorship and involvement with stakeholders necessary to prevention and prosecution. The expanded group would better be able to address the NHTSA Program Priority Areas of alcohol-impaired, driving, drug-impaired driving and roadway safety. The assigned attorneys will be able to work with the investigating law enforcement agencies directly – to provide guidance during the investigation, the initial review of the case, direction for additional investigation, to the filing, prosecution and eventual sentencing of a criminal defendant. By having a team of specialized prosecutors, the risk of burnout would be

lessened by the number of cases that would be handled by any single prosecutor at a time while not sacrificing any quality in prosecution.

The San Bernardino County District Attorney's Office, being committed to confronting vehicular homicides continues to maintain a Vehicular Homicide Unit within the Bureau of Investigation. The one of the assigned investigators possesses expertise in obtaining information from event data recorders (EDRs) as well as vehicle infotainment systems. Another team member within the office has recently gone through training on the downloading of EDRs. The San Bernardino County District Attorney's Office also possesses equipment in order retrieve this crucial data from EDRs and infotainment systems. This allows the Office to assist agencies countywide with data retrieval which aids in the investigation and prosecution of driving under the influence cases as well as those involving homicide. Currently we are able to download 85% of the registered vehicles on the roadway with modules produced between 2003 and 2018. In order to access newer technology and expand the number of vehicles we are able to download, upgrades and additional stand-alone kits are required. This would allow the San Bernardino County District Attorney's Office to be a hub to assist all other agencies within our county and potentially outside our county as well. Additionally, the attorneys will be able to fully utilize other sections of the Office not funded by the grant, including the Bureau of Victim's Services and the Bureau of Investigation. As it applies to Victim Services, Victim Advocates are available in each region to help with the need of victims of crime, and in fatality cases, the families, providing support and guidance, assistance with restitution, as well as other services. With the Bureau of Investigation, the Office has investigators and investigative technicians available to assist attorneys with trial preparation, transportation of witnesses, and emergent needs before and during trial.

Outreach and coordination with other law enforcement agencies.

Along with their prosecution of the vertically assigned cases, team attorneys will be responsible for meeting with law enforcement agencies within the county. In addition to the fifteen different Sheriff stations and five CHP offices, our jurisdiction includes the following police departments: Barstow, Colton, Redlands, Rialto, San Bernardino, Montclair, Upland, Chino, Fontana and Ontario. Communication with allied law enforcement agencies is the key to the suppression of drivers under the influence. With thirty different law enforcement stations within the county, it is imperative that attorney team members make contact with watch commanders, M.A.I.T. sergeants and their members, as well as traffic personnel to build relationships with the stations, to answer any questions related to driving under the influence suppression, as well as to provide training to line deputies and officers about legal updates in the area as well as statistical trends unique to each region. By building a team approach and communicating with our law enforcement partners, we can provide a greater enforcement effort. With the addition of an additional attorney, even during this transition period, has shown the benefit of additional contact and availability for law enforcement cooperation.

Training attorneys in the area of driving under the influence suppression.

Along with working with increasing communication with local law enforcement stations as described above, the team attorneys will provide extended driving under the influence as well as vehicular homicide training for other prosecutors from this Office on the handling of all aspects of driving under the influence prosecution as well as vehicular

homicide.

Agency Qualifications:

Current staffing for the Office of Traffic Safety Grant consists of two dedicated experienced prosecutors. The Lead Deputy District Attorney has been a Deputy District Attorney for over 18 years and has tried over 60 cases which include murders, (including a *Watson* murder), attempted murders, robberies, driving under the influence causing injury, hit and run causing injury and vehicular manslaughter. For the last three years, this prosecutor has been assigned to the Office of Traffic Safety Grant position within the San Bernardino County District Attorney's Office. In addition to the prosecutor's caseload which needs to be researched, prepared and in some cases taken to trial, there are a number of other duties the assigned prosecutor has including mentoring staff attorneys, conducting and attending trainings and meetings, victim and law enforcement outreach including advising on ongoing investigations as well as reviewing and issuing cases. Currently, this prosecutor is assigned a caseload consisting mainly of *Watson* murders and gross vehicular manslaughter while intoxicated cases. The newest Deputy District Attorney who has been assigned to the Office of Safety Grant unit, fully so as of the beginning of the second quarter of last year, has been an attorney for over 7 years. Offenses she has prosecuted in trial include gross vehicular manslaughter, hit and run causing death, driving under the influence causing injury with great bodily injury, robbery, rape, burglary, narcotics trafficking, arson, assault with a deadly weapon as well as driving under the influence cases. She is also a P.O.S.T. certified instructor. Additional staff would allow additional cases to be prosecuted by specialized staff. Support staff also include an administrative supervisor who are involved in the grant as well as a dedicated, grant funded investigator who is assigned to the Office of Traffic Safety Grant Unit who has and will be utilized for investigations. The Office of Traffic Safety Grant Unit has also been given the use of a dedicated paralegal who is shared with one Cold Case Deputy. The office will continue to send the assigned prosecutors to ongoing trainings to keep them informed with the most current practice and developments in the prosecution of driving under the influence cases.

## Goals

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Description
Improve the prosecution knowledge and expertise of DUI Alcohol, DUI Drug and DUI Alcohol/Drug Combination cases.
Increase the number of DUI Alcohol, DUI Drug and DUI Alcohol/Drug Combination cases filed and prosecuted.
Custom Description

# Objectives

Included	Target Number	Description
Yes	1	Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at <a href="mailto:pio@ots.ca.gov">pio@ots.ca.gov</a> , and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.
Yes	1	Create or expand a Vertical Prosecution Program with the City Attorney or District Attorney's Office by November 30. The program will facilitate the prosecution of all DUI drug cases, all DUI alcohol and drug combination cases, and if applicable, all felony DUI alcohol cases with death or injury.
Yes	5	Designate prosecutor position(s) and investigator position(s) to the DUI caseload to prosecute DUI Alcohol, DUI Drug and DUI Alcohol/Drug Combo cases. The individual(s) will be dedicated solely to this assignment allowing them to gain expertise in the investigation and prosecution of DUI Alcohol, DUI Drug, and DUI Alcohol/Drug Combo cases. While employed by the City Attorney's or District Attorney's Office, the individual(s) in the grant-funded DUI Vertical Prosecutor position(s) should remain the same throughout the term of the grant.
Yes	1	Develop and implement a system for gathering, tracking, and reporting all DUI case reviews, filings, and outcomes in the county/city by December 31, differentiating between: 1) DUI Alcohol-only; 2) DUI Drug-only; and 3) DUI Combination
Yes	1	Report on all DUI case reviews, filings and outcomes in the county or city throughout the grant, differentiating between: 1) DUI Alcohol-only; 2) DUI Drug-only; and 3) DUI Combination Alcohol and Drug cases.
Yes	1	Partner with the California Traffic Safety Resource Prosecutor Training Network to provide comprehensive training in the prosecution of DUI Alcohol and DUI Drug cases with an effort to reach prosecutors and investigators.
Yes	1	Send the funded prosecutor(s) to trainings/meetings sponsored by OTS and/or the California Traffic Safety Resource Prosecutor Training Network.
Yes	4	Coordinate and host four regional roundtable law enforcement meetings (one each quarter, with telephone or internet conference capabilities) to provide information on the DUI Vertical Prosecution Program, interact with law enforcement to identify means to improve DUI investigation and prosecution, and assess technical assistance needs for training on DUI investigation and court testimony. OTS staff, local law enforcement, CHP and probation staff should be included in the roundtable. Agenda and minutes should be produced and distributed. All four meetings for the year should be scheduled in the first quarter of the grant.
Yes	1	Coordinate with local law enforcement agencies on the development of an on-call response protocol for the investigation of fatal and major injury DUI vehicle crashes, and to report on response activities
Yes	3	Participate in at least one DUI saturation ride-along and attend/observe at least one DUI checkpoint. Note: The funded vertical prosecutor(s) and investigator should participate within the first quarter of the grant. Saturation patrol ride-along and checkpoint observation may be combined into one evening.
Yes	1	Respond to at least one fatal DUI crash investigation scene. Note: The funded vertical prosecutor(s) and investigator(s) should achieve this objective within the first quarter of the grant.
Yes	1	Identify straight time personnel and report on activities completed. Include any vacancies or staff changes that have occurred.
Yes	1	District Attorney's Office / City Attorney's Office to partner with local school and/or youth organizations to provide educational programming about the dangers and consequences of driving under the influence of alcohol and/or drugs.
Included	Target Number	Custom Description



# Method of Procedure

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## Phase 1 - Program Preparation:

- Recruit and hire all staff for the grant.
- Procure all materials necessary to implement the grant.
- Identify dates and schedule the four Roundtable Meetings (one each quarter with telephone conference capabilities). Notify the OTS coordinator of the dates. Meetings are meant to provide information on the DUI Vertical Prosecution Program, interact with law enforcement to identify means to improve DUI investigation and prosecution, and assess technical assistance needs for training on DUI investigation and court testimony. OTS staff, TSRP staff, local law enforcement, CHP and probation staff should be included in the roundtable. Agenda and minutes should be produced and distributed. All four meetings for the year should be scheduled in the first quarter of the grant.
- Develop protocols to be used to measure the success of the DUI Prosecution Program.
- Conduct training for all program staff outlining the goals and objectives of the project.
- Refer cases for prosecution to the grant-funded Deputy District/City Attorney(s).
- Transfer all pending DUI cases which qualify under this program so that vertical prosecution may begin.
- Develop a training protocol for law enforcement agencies within the county, and start a process of coordinating all reporting, investigation, and referral of cases that qualify under the grant.

## Media Requirements

- Issue a press release approved by the OTS PIO announcing the kick-off of the grant by November 15, but no sooner than October 1. The kick-off release must be approved by the OTS PIO and only distributed after the grant is fully signed and executed. If you are unable to meet the November 15 deadline to issue a kick-off press release, communicate reasons to your OTS coordinator and OTS PIO.

## Phase 1 - Program Preparation Addendum:

## Phase 2 - Program Operations:

- Prosecution will be on-going. The Deputy District/City Attorney(s) will review DUI cases from all law enforcement agencies in the county/city.
- Training for law enforcement personnel, District Attorney Investigators and other Deputy District/City Attorneys will begin and continue throughout the program.
- Prosecutor(s) will:
  - a) Work to secure convictions (as justice requires) and appropriate sentences that reflect the public safety risk posed by the offender.
  - b) Mentor trial attorneys on how to successfully try high-risk DUI offenders.
  - c) Host Quarterly Roundtable meetings with law enforcement personnel, TSRP and OTS Coordinator.
  - d) Work with the TSRP to obtain and deliver high quality DUI prosecution training programs to non-grant-funded prosecutors.
  - e) Work with the TSRP to obtain and deliver high quality DUI investigation, report writing and courtroom testimony training programs to law enforcement personnel (police officers, deputies, District Attorney Investigators and crime lab scientists).
  - f) Attend training programs that cover evaluation and preparation of DUI drug cases, marijuana, prescription drugs, drug trends, people's experts, defense challenges, cross-examination of experts, SFST evidence, jury considerations and toxicology evidence, and incorporate this information into DUI trainings for attorneys and law enforcement personnel.
  - g) Send the funded vertical prosecutor(s) and investigator to the NHTSA "Advanced Roadside Impaired Driving Enforcement" (ARIDE) 16 hour POST-Certified training, if not already trained. Note: The funded vertical prosecutor(s) and investigator(s) should achieve this objective within the first quarter of the grant.

## Media Requirements

The following requirements are for all grant-related activities:

- Send all media advisories, alerts, videos, graphics, artwork, posters, radio/PSA/video scripts, storyboards, digital and/or print educational materials for grant-related activities to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) for approval and copy your OTS coordinator. Optimum lead time would be 7 days before the scheduled release but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- The OTS PIO is responsible for the approval of the design and content of materials. The agency understands OTS PIO approval is not authorizing approval of budget expenditure or cost. Any cost approvals must come from the Coordinator.
- Pre-approval is not required when using any OTS-supplied template for media advisories, press releases, social media graphics, videos or posts, or any other OTS-supplied educational material. However, copy the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and your OTS coordinator when any material is distributed to the media and public, such as a press release, educational material, or link to social media post. The OTS-supplied kick-off press release templates and any kickoff press releases are an exception to this policy and require prior approval before distribution to the media and public.
- If an OTS-supplied template, educational material, social media graphic, post or video is substantially changed, the changes shall be sent to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) for approval and copy to your OTS Coordinator. Optimum lead time would be 7 days prior to the scheduled release date, but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- Press releases, social media posts and alerts on platforms such as NextDoor and Nixle reporting immediate and time-sensitive grant activities (e.g. enforcement operations, day of event highlights or announcements, event invites) are exempt from the OTS PIO approval process. The OTS PIO and your Coordinator should still be notified when the grant-related activity is happening (e.g. car seat checks, bicycle rodeos, community presentations, DUI checkpoints, etc.).
- Enforcement activities such as warrant and probation sweeps, court stings, etc. that are embargoed or could impact operations by publicizing in advance are exempt from the PIO approval process. However, announcements and results of activities should still be copied to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and your Coordinator with embargoed date and time or with "INTERNAL ONLY: DO NOT RELEASE" message in subject line of email.
- Any earned or paid media campaigns for TV, radio, digital or social media that are part of a specific grant objective, using OTS grant funds, or designed and developed using contractual services by a subgrantee, requires prior approval. Please send to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) for approval and copy your grant coordinator at least 3 business days prior to the scheduled release date.
- Social media posts highlighting state or national traffic safety campaigns (Distracted Driving Month, Motorcycle Safety Awareness Month, etc.), enforcement operations (DUI checkpoints, etc.), or any other grant-related activity such as Bicycle rodeos, presentations, or events, are highly encouraged but do not require prior approval.
- Submit a draft or rough-cut of all digital, printed, recorded or video material (brochures, posters, scripts, artwork, trailer graphics, digital graphics, social posts connected to an earned or paid media campaign grant objective) to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator for approval prior to the production or duplication.
- Use the following standard language in all press, media, and printed materials, space permitting: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Space permitting, include the OTS logo on all grant-funded print materials, graphics and paid or earned social media campaign grant objective; consult your OTS Coordinator for specifics, format-appropriate logos, or if space does not permit the use of the OTS logo.
- Email the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator at least 21 days in advance, or when first confirmed, a short description of any significant grant-related traffic safety event or program, particularly events that are highly publicized beforehand with anticipated media coverage so OTS has sufficient notice to arrange for attendance and/or participation in the event. If unable to attend, email the OTS PIO and coordinator brief highlights and/or results, including any media coverage (broadcast, digital, print) of event within 7 days following significant grant-related event or program. Media and program highlights are to be reflected in QPRs.
- Any press releases, work plans, scripts, storyboards, artwork, graphics, videos or any educational or informational materials that received PIO approval in a prior grant year needs to be resubmitted for approval in the current grant year.
- Contact the OTS PIO or your OTS Coordinator for consultation when changes from any of the above requirements might be warranted.

Phase 2 - Program Operations Addendum:

Phase 3 - Data Collection:

1. Prepare and submit grant claim invoices (due January 30, April 30, July 30, and October 30)
2. Prepare and submit Quarterly Performance Reports (QPR) (due January 30, April 30, July 30, and October 30)
  - Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
  - Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
  - Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
  - Collect, analyze and report statistical data relating to the grant goals and objectives.

Phase 3 - Data Collection Addendum:

## Budget

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### Personnel Costs

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**Hourly Rates** - When requesting hours for personnel, enter them as straight time or overtime (for Enforcement Overtime, please use section below) and include the amount of hours that they will spend on grant operations. Example: Personnel getting paid 100% by the grant working a full year at \$41.00 per hour would be entered as Straight time, 2080 Units, \$41.00 Unit cost or Rate, and 100% Percent Paid by Grant. This gives a total of \$85,280.00 for the year.

**Benefits** – If requesting benefits for personnel, enter all benefits as a separate line item for each. Start the Item Name with the word 'Benefits', enter the corresponding straight time or overtime total amount in the Unit Cost or Rate, and enter the Benefits Rate to have the system calculate Benefit Costs. (Unit Cost) X (Benefits Rate) = Benefit Costs. To properly relate benefits to the correct personnel line item use the Display Order field, for example use 100.0 for Display Order for the personnel line item and 100.1 for Display Order for the associated Benefits.

Display Order	Cost Category	Item Name	Position Type	Benefit Rate	Unit Cost or Rate	Units	Percent Paid by Grant	Calculated Cost to Grant
100.0	A. Personnel Costs	Prosecutor	Straight time		\$86.93	6,240	100.00%	\$542,443.20
100.1	A. Personnel Costs	Benefits-Prosecutor	Straight time	44.56%	\$542,443.20	1	100.00%	\$241,712.69
100.2	A. Personnel Costs	Investigator	Straight time		\$71.87	2,080	100.00%	\$149,489.60
100.3	A. Personnel Costs	Benefits-Investigator	Straight time	94.02%	\$149,489.60	1	100.00%	\$140,550.12

  

Display Order	Cost Category	Enforcement Activity	Item Name	Unit Cost or Rate	Units	Calculated Cost to Grant
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Personnel Costs: \$1,074,195.61

## Travel Expenses

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Display Order	Cost Category	Item Name	Unit Cost or Rate	Units	Calculated Cost to Grant
200.0	B. Travel Expenses	Vehicle Expense - Investigator	\$415.00	12	\$4,980.00

Travel Expenses: \$4,980.00

## Contractual Services

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**Do not include brand names or names of specific organizations.**

Display Order	Cost Category	Item Name	Unit Cost or Rate	Units	Calculated Cost to Grant
300.0	C. Contractual Services	DUI Drug Testing and Confirmation by Mass Spectrometry	\$200.00	2,200	\$440,000.00

Contractual Services: \$440,000.00

## Equipment (must have Unit Cost of at least \$5,000)

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**Do not include brand names or names of specific organizations.**

Please include an equipment quote in the Upload Documents Tab

Display Order	Cost Category	Item Name	Unit Cost or Rate	Units	Calculated Cost to Grant
400.0	D. Equipment	None	\$0.00	0	\$0.00

Equipment: \$0.00

## Other Direct Costs (must have Unit Cost of less than \$5,000, including tax and shipping)

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**Do not include brand names or names of specific organizations.**

Display Order	Cost Category	Item Name	Unit Cost or Rate	Units	Calculated Cost to Grant
500.0	E. Other Direct Costs	None	\$0.00	0	\$0.00

Other Direct Costs: \$0.00

## Indirect Costs

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Item Name should indicate the % and the Cost Category for Indirect Costs e.g. 15% of Salaries and Benefits. Use the Percent Paid by Grant for the Indirect Rate and the Unit Cost or Rate field to indicate the total amount for which Indirect Costs will be claimed. The system will calculate the Cost to Grant.

**Indirect Cost Rate must be supported by a federally approved indirect cost rate letter and uploaded to the application.**

Display Order	Cost Category	Item Name	Indirect Rate	Amount Subject to Indirect	Calculated Cost to Grant
600.0	F. Indirect Costs	None	0.00%	\$0.00	\$0.00

Indirect Costs: \$0.00

Total Requested Funding: \$1,519,175.61

# Narrative Review

## Review and update Narrative for Budget Items

Cost Category	Item	Narrative	Custom Narrative
A. Personnel Costs	Prosecutor		Prosecutor - Hours for prosecutor dedicated to vertically prosecute all felony cases involving driving under the influence of alcohol and/or drugs. Hours may include wages or authorized absences, such as annual leave and sick leave, provided they are accrued during the grant term. The prosecutors will attend training provided by the Traffic Safety Resource Prosecutor Program and deliver training to law enforcement, investigators and other attorneys within the District Attorney's Office.
A. Personnel Costs	Benefits-Prosecutor		Benefits-Prosecutor - TOTAL BENEFIT RATE 44.56% Health Insurance - 3.35% Life Insurance - 1.02% Medicare - 1.42% Retirement - 33.84% State Disability/SDI - 0.87% Vision Insurance - 0.04% Workers Compensation Insurance - 3.63% 457b Match - 0.39%
A. Personnel Costs	Investigator		Investigator - Hours used to consult and offer assistance on all DUID related issues, including, but not limited to: reviewing police reports; responding to the scene of a traffic fatality; offering strategies in prosecutions and case presentations; and being available to testify as an expert in court.
A. Personnel Costs	Benefits-Investigator		Benefits-Investigator - TOTAL BENEFIT RATE 94.02% Members Retirement - 70.76% Employee Group Insurance - 12.11% Long Term Disability - 0.40% Vision Care - 0.09% Short Term Disability - 0.03% FICA Medicare Tax - 1.37% Workers Compensation Insurance - 7.33% Life Insurance - 1.93%
B. Travel Expenses	Vehicle Expense - Investigator		Vehicle Expense-Investigator - Estimated cost of leasing and driving a vehicle from County Fleet Services. Vehicle used to provide investigator with transportation to and from traffic fatality scenes, court and other destinations as needed.
C. Contractual Services	DUI Drug Testing and Confirmation by Mass Spectrometry		DUI Drug Testing and Confirmation by Mass Spectrometry - To draw and collect blood samples from suspected DUI drivers on scene as evidence in support of DUI convictions in a court of law.
D. Equipment	None	None	N/A
E. Other Direct Costs	None	None	N/A
F. Indirect Costs	None	None	N/A

## Upload Documents (Optional)

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Please try to include all information in the application itself, but if necessary, upload additional documents here

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Document Name	Update Date/Time
DUI - MISReport2021.pdf	1/6/2023 5:08 PM
DUI - MISReport2020.pdf	1/6/2023 5:08 PM
DUI - MISReport2019.pdf	1/6/2023 5:08 PM
Application Materials Binder.pdf	1/6/2023 5:07 PM

## Evaluation, Support, and Submittal

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### Evaluation, Support, and Submittal

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#### Method of Evaluation:

Using the data compiled during the grant, the Grant Director will complete the "Final Evaluation" section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

#### Administrative Support:

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

#### Total Requested Funding:

\$1,519,175.61