

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

April 8, 2025

**FROM**

**JASON ANDERSON, District Attorney**

**SUBJECT**

Relief of Liability for the California Victim Compensation Board Revolving Fund Shortage

**RECOMMENDATION(S)**

1. Approve Request for Relief of Liability, in the amount of \$68,153.28, for the California Victim Compensation Board Revolving Fund, administered by the District Attorney, to provide emergency assistance to victims of crime, in accordance with Chapter 5 (Shortages and Losses) of the Auditor-Controller/Treasurer/Tax Collector's Internal Control and Cash Manual.
2. Authorize the District Attorney to utilize the Department General Fund, in the amount of \$68,153.28, to increase the Revolving Fund bank account balance to the authorized amount of \$200,000, pursuant to the Agreement No. 23-540 (State Agreement No. S23-009), with the California Victim Compensation Board.
3. Terminate Agreement No. 23-540 (State Agreement No. S23-009) with the California Victim Compensation Board, issue payment to California Victim Compensation Board in the amount of \$200,000 to bring the Revolving Fund bank account balance to zero, and close the Revolving Fund bank account.

(Presenter: Michael Fermin, Chief Assistant District Attorney, 382-3662)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The California Victim Compensation Board (CalVCB) Revolving Fund bank account (Bank of America account ending in no. 8261), is authorized in the amount of \$200,000 pursuant to County Agreement No. 23-540 and initially fully funded by CalVCB for the District Attorney (Department) to provide emergency financial assistance to victims of crime who suffered economic losses as a result of crime. However, the bank account balance is \$131,846.72 and is short in the amount of \$68,153.28. The Department requests to utilize its Department General Fund to replenish the bank account up to the authorized amount of \$200,000 before issuing the full balance of funds back to CalVCB and closing the account. Adequate appropriation has been included in the Department's 2024-25 General Fund for the shortfall.

**BACKGROUND INFORMATION**

The District Attorney (Department) is the public prosecutor and has the mandated responsibility to prosecute crimes committed within San Bernardino County, including city jurisdictions,

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pursuant to Government Code section 26500. Penal Code section 13835 et seq. provides upon Board of Supervisors (Board) recognition, the Department as the major provider of comprehensive services to victims of crime and witnesses in the County. Since 1980, the Department's Bureau of Victim Services has provided services to victims of crime, primarily funded through several grants received from California Office of Emergency Services. In addition, the Department has provided emergency assistance to victims of crime through the use of an Emergency Revolving Fund that was established in 1999 that has been fully and continuously funded by CalVCB.

CalVCB has two agreements with the County that govern the administration and issuance of emergency assistance (County Agreement No. 21-395 and County Agreement No. 23-540). Agreement No. 21-395 directs the job duties that staff perform to assist victims of crime by preparing and submitting claims of verified financial need to CalVCB. Agreement No. 23-540 authorizes a Revolving Emergency Fund that is fully funded by CalVCB for the issuance of funds for qualifying and verified claims of financial assistance as a result of crime. Pursuant to Government Code section 13952.5, subdivision (c)(3), the Department pays vendors for victims' verified emergency expenses such as funeral/burial expenses, victim relocation expenses, crime scene clean-up, and other verified emergency losses. The Department then provides the documentation to CalVCB of expenses paid and CalVCB reimburses the Revolving Emergency Fund bank account.

The Revolving Emergency Fund was established upon Board approval of State Agreement 99-639 on July 13, 1999 (Item No. 29) in the amount of \$25,000. Over the years, CalVCB has increased the limit of funds in the bank account to cover additional types of crime-related expenses. On August 29, 2000 (Item No. 64), the Board approved State Agreement 00-900 with an increase to \$50,000. On December 18, 2001 (Item No. 79) the Board approved Amendment No. 3 to State Agreement 00-900 with an increase to \$100,000. On October 2, 2007 (Item No. 29) the Board approved State Agreement 07-412 with another increase to \$200,000, all with funding from CalVCB. The most recent agreement, Agreement No. 23-540, was approved by the Board on June 27, 2023 (Item No. 61) and continued the authorized amount of \$200,000.

For at least 10 years, CalVCB has not fully funded the staffing unit that prepares and submits victim claims and has relied on the County to provide general fund assistance. Over the years, the Department has consulted with the County Administrative Office to review aspects of the contract, services provided, and the cost to the general fund. The proposed three-year agreement for 2024-27 from CalVCB did not provide additional funding and the Department determined that it would no longer rely on general funding to operate the unit. In June 2024, after consultation with County Counsel, the Department allowed Agreement 21-395 to expire. The Department continues to provide comprehensive services to victims of crime and staff now refer victims directly to CalVCB for financial assistance.

When the Department allowed Agreement No. 21-395 to expire, it underwent a reconciliation process with CalVCB to review approximately 30 discrepant reimbursements that spanned from 2008 through 2020. The discrepancies resulted in a shortage of reimbursements from CalVCB to the Revolving Emergency Fund. The transactions could generally be labeled as duplicate payments issued to victims or vendors, assistance provided that exceeded statutory limits, or assistance that was denied by CalVCB. Upon completion of the reconciliation process, CalVCB issued its final reimbursement to the Revolving Emergency Fund in December 2024. The

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Revolving Fund is short by \$68,153.28. Agreement No. 23-540 requires that the Department issue the full amount of \$200,000 back to CalVCB.

The County Auditor-Controller's Office has reviewed and approved the circumstances concerning this shortage and recommends a Relief from Liability. The Department requests approval from the Board of Supervisors for a Relief of Liability in the amount of \$68,153.28 so that the Department can bring the bank account back to the authorized amount of \$200,000, issue payment in full to CalVCB, close the bank account, and terminate Agreement No. 23-540 with CalVCB.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Daniella Hernandez, Deputy County Counsel, 387-5455) on February 6, 2025; Auditor-Controller/Treasurer/Tax Collector (Denise Mejico, Chief Deputy Auditor, 382-3183) on February 18, 2025; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412) on March 18, 2025; and County Finance and Administration (Valerie Clay, Deputy Executive Officer, 387-5423) on March 18, 2025.

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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

Moved: Joe Baca, Jr. Seconded: Curt Hagman  
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: April 8, 2025



cc: File - District Attorney  
MBA 04/10/2025