

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY



Contract Number

19-753

SAP Number

Public Defender

| | |
|---|---|
| Department Contract Representative | <u>Diana Lovelace</u> |
| Telephone Number | <u>382-3943</u> |
| Contractor | <u>Corporation for National and Community Service</u> |
| Contractor Representative | <u>LaVera D. Butler</u> |
| Telephone Number | <u>On File</u> |
| Contract Term | <u>March 21, 2020 – March 20, 2021</u> |
| Original Contract Amount | <u>\$32,832</u> |
| Amendment Amount | <u></u> |
| Total Contract Amount | <u>\$32,832</u> |
| Cost Center | <u>491000100</u> |

Briefly describe the general nature of the contract: Grant Application and Memorandum of Agreement with the Corporation for National and Community Service for AmeriCorps VISTA Members to support the Public Defender’s Building Communities Through Post-Conviction Relief and Engagement program.

FOR COUNTY USE ONLY

Approved as to Legal Form

[Signature]
John Tubbs II, County Counsel

Date 10/29/19

Reviewed for Contract Compliance

Date

Reviewed/Approved by Department

[Signature]
Thomas W. Sone, Assistant Public Defender

Date 10/29/19

10/10/2019, 8:40 PM, EDT



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eGRANTS

Welcome David

Start New Project Application

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Start New

- Applicant Info
- Application Info
- Narratives
- Sites
- Documents
- Performance Measures
- Budget Section 1
- Budget Section 2
- Review
- Authorize and Submit

Applicant Info

Please enter/review your applicant and project information.

NOFA information

NOFA: FY 2020 AmeriCorps VISTA State New Projects

Due Date: 09/15/2020

Summary: The FY 2020 AmeriCorps VISTA State NEW Projects NOFA is for new projects with start dates between October 2019 and September 2020. Please contact your CNCS State Office for confirmation if uncertain which NOFA to apply against.

Project Application Info

Project Application ID: 19VS218419

NOFA: FY 2020 AmeriCorps VISTA State New Projects

Type: New
Status: Grantee Initial Entry

Applicant information

Applicant/User: Mr. David McClave

Authorized Representative: McClave, David

Project information:

The project information section defines the name and location of the project, the state in which the volunteers or members will be serving, and the name and contact information for the project director.

First-time applicants: Use the "create a new project" link to enter the Information about your project. (Hint: Select a unique project name for each application that you submit.) Continuation Requests and Recompete Applicants: Use the view/edit link to review the project name and address and update as necessary and confirm that the project name associated with this request matches the project name used last year.

Select a project: Building New Communities through Post-Conviction Relief and [dropdown] enter new view/edit

* Project Director: McClave, David [dropdown] enter new | view/edit

Project Website URL: [input field]

Target Populations

- Low-income Native Americans, Native Alaskans & Pacific Islanders
- Low-income Individuals with disabilities
- Individuals & families experiencing homelessness
- Unemployed individuals
- Low-income adults
- Low-income youth
- Low-income formerly incarcerated youth
- Low-income formerly incarcerated adults
- Low-income communities
- Low-income veterans
- Low-income military families

508 Approved | Contact Help Desk | disable the pictures
Release version: 6.13

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- Authorize and Submit

Application Info

Please enter the requested application information below.

Areas affected by the project (Max. 1000 chars) List Cities, Counties or States

San Bernardino County

Project Start and End Dates

Proposed Start Date: 12 / 22 / 2019

Proposed End Date: 03 / 27 / 2022

Project Application Info

Project Application ID: 19VS218419

NOFA: FY 2020 AmeriCorps VISTA State New Projects

Type: New Status: Grantee Initial Entry

Other

The Application is Subject to Review by State Executive Order 12372 Process.

Yes No

If yes, please enter the date of the review. Month / Day / Year...

Applicant is Delinquent on any federal debt.

Yes No

If yes, please explain. (Max. 240 chars)

Empty text box for explanation

State Application Identifier:

VISTA

Program Type: Standard

Cost Share:

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Release version: 6.13

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- Performance Measures
- Budget Section 1
- Budget Section 2
- Review
- Authorize and Submit

Narratives

Please Enter or edit the Narrative for each category as appropriate

narrative entered narrative not entered

- Executive Summary [view/edit narrative](#)
- Summary of Accomplishments [view/edit narrative](#)
- Need [view/edit narrative](#)
- Strengthening Communities [view/edit narrative](#)
- Recruitment and Development [view/edit narrative](#)
- VISTA Assignment [view/edit narrative](#)
- Project Management [view/edit narrative](#)
- Organizational Capability [view/edit narrative](#)
- Other [view/edit narrative](#)
- Intermediary Justification [view/edit narrative](#)

Project Application Info

Project Application ID:
19VS218419

NOFA: FY 2020 AmeriCorps
VISTA State New Projects

Type: New

Status: Grantee Initial Entry

Legal Applicant Info

San Bernardino County Public
Defender's Office
900 E Gilbert St
Bldg 24
San Bernardino, CA 92415

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Executive Summary

The San Bernardino County Public Defender's Office mission is defending Constitutional rights and pursuing justice through excellent representation. Our vision is to be recognized for providing the best defense. The proposed Vista project aligns with the CNCS focus areas and objectives of economic opportunity and veterans/military families. The Vista project will seek to end the revolving door of justice which continually shackles individuals to poverty.

The San Bernardino County Public Defender's Office believes its new program, Building Communities through Post-Conviction Relief and Engagement will accomplish the aforementioned goals by: removing artificial barriers to employment and housing, increase client's access to social services, improve client and residents opportunity for civil engagement, and promote client and residents participation in the community.

The VISTA project expects to benefit any county resident (past or present) who have been convicted of a qualifying offense within San Bernardino County. At this time, it is difficult to give an estimated number of individuals who will benefit from the program, as any individual who has been convicted of a qualifying offense going back as far as the 1950's would be eligible for post-conviction relief. With that said, the department handled approximately 50,000 new filings within the last fiscal year. Not all of these individuals would be eligible for post-conviction relief, but it gives a brief approximation of the number potential beneficiaries on a yearly basis.

The 4 VISTA members will contribute to the goals of the project by helping to expand the scale, impact and resource leveraging ability of the department to implement its new program. The VISTA members will serve as community liaisons to cultivate relationships, form strategic alliances and promote the department's post-conviction relief services with local GO's, CBO's and NGO's. The VISTA members will help create and roll-out the new program and begin a new grass roots media campaign to strengthen the department's relationship with the community. The VISTA members will help to create a data collection system for the department to use to track results; employment, promotions, pay increases, housing, restoration of rights and connecting clients with sustainable social services over 3 years; which will be the expected length of the project.

SUMMARY OF ACCOMPLISHMENTS

N/A

GRANT NEED

Over the last decade, a powerful movement led by formerly incarcerated people, community based organizations (hereafter CBO's) and non-government organizations (hereafter "NGO's), have elevated the issue of criminal justice reform across the United States. After a 2011 federal court order mandated that California reduce the population of its overcrowded prisons, thousands of inmates were transferred from state prisons to county jails as a part of a process called "realignment." Recognizing that more than one in four Californians, or eight million adults, had a criminal record on file with the state, which is a by-product of the decades of over-criminalization and policing of low-income communities of color. [1] The California Legislature, by and through the electorate, enacted numerous criminal justice reform propositions and statutes to aid those with criminal convictions. Since 2014, California has passed Proposition 47 (reducing certain non-violent felony charges to misdemeanors), Proposition 57 (parole for non-violent offenders), Proposition 64 (decriminalizing marijuana crimes), and Penal Code Section 851.91 (sealing of arrest records where no conviction was sustained). Some residents with criminal convictions can still attempt to have past criminal convictions removed from their records under California Penal Code Section 1203.4 (expungement) and California Penal Code Sections 4852.10 - 4852.21 (certificate of rehabilitation and pardon).

Although the California Legislature and some of the electorate have embraced the need for criminal justice reform by enacting the aforementioned propositions and statutes to aid those with criminal convictions. This does not mean the message of criminal justice reform resonates with every citizen in California. Often times, "tough on crime" policies that pervade our communities cement the traditional approach to criminal justice: retribution. Some in California, are already seeking to undo some of California's criminal justice reforms through proposed 2020 ballot initiatives that would, among other things, reduce the number of inmates who can seek earlier parole and reclassify theft crimes back to felonies. [2]

In California, research has shown that more than half of those released from prison will be back behind bars within three years. [1] Many reenter their communities having served time for minor, nonviolent drug or property crimes. Whether a previously incarcerated person is employed is one of the most significant factors in reducing the number of people who return to prison or jail, helping them reclaim their lives and reintegrate into society. [2] There is also a direct correlation between high rates of poverty and homicide rates. In California, cities where poverty is low have few if any homicides versus those where poverty is high and the numbers of homicides are equally high. [3]

Criminal background checks result in discrimination against more than one in four Californians who have arrest or convictions in their past, despite the fact that the vast majority of those job-seekers have not recently served time. In addition, Californians with criminal convictions are categorically shut out from hundreds of occupations that require licenses or other clearance from the state. Lastly, stigma among employers remains a substantial barrier for all people with records, and it has an immensely disproportionate impact on Latinos and African Americans; which currently constitute 63 percent of San Bernardino County residents. [4][5]

Beyond background checks, a broad array of other statutory and administrative roadblocks systematically exclude reentry into the workforce and deny individuals access to critical services that could ease their transition back into the community; such as student loans, food stamps, housing subsidies. A majority of formerly incarcerated people are either homeless or live with family members upon release. Their housing situations remains precarious because local housing policies prohibit

previously incarcerated individuals from living in the home. Their families' housing is also threatened because the entire household becomes subject to eviction for having an unapproved tenant. This untenable situation exist despite federal guidance that encourages local public housing agencies to support family reunification for people coming out of jails or prison. The practice of exclusion is not solely limited to public housing; private landlords use background checks to exclude those with criminal convictions. Without a stable place to call home, holding down a job or completing a job training program become exponentially more difficult.

San Bernardino County finds itself at a cross roads in the movement towards positive criminal justice reform. Current needs are not being met because our county lacks restorative justice programs that reduce violence, recidivism and cost. Compounding the lack of restorative justice programs in San Bernardino County is that its residents face a whole host of socioeconomic inequities which puts the county on the brink of spiraling further into poverty.

Geographic Characteristics Of San Bernardino County:

San Bernardino County is the largest county in the contiguous United States, encompassing 20,053 miles, which includes 24 cities, 81 unincorporated communities and a population of 2,174,938. From 2000-2016, the population of San Bernardino County increased 18.6 percent and was the fifth largest population in the state of California. [Last recorded data] [6]

Social Characteristics Of San Bernardino County:

54 percent Latino, 28 percent White, 9 percent African American, 7 percent Asian/Pacific Islander, 1 percent Native American. 1 percent two or more races; 20 percent of county residents are born outside of the United States and 41 percent of County households speak a language other than English at home; 42 percent of households have children under 18 and 34 percent of families have children under 18 led by a single parent.[6]

Poverty And Unemployment Rate:

The current poverty rate in San Bernardino County is 16.2 percent, which has continued to rise over the last 10 years and is currently higher than the state and national averages. In 2017, 23 percent of children under the age of 18 were living in poverty versus 20 percent in 2008. The percentage of adults living in poverty also grew during this same time from 12.5 percent in 2008 to 14 percent in 2017. There is also a growing pool of working poor within San Bernardino County. In 2017, 7 percent of the civilian labor force ages 16 and older who were employed were living in poverty. Also, the poverty rate for the unemployed population in the labor force has increased, rising from 23.8 percent in 2008 to 32 percent in 2017. [6]

Affordable Housing:

Between 2016 and 2017, the cost of living in San Bernardino County rose 2.5 percent. It was also 28 percent more expensive to live in the county when compared to the national average. Over the last year, the median rental rates in San Bernardino County increased 5 percent; median rent for a one-bedroom apartment was \$1,003. The hourly wage needed to afford such an apartment was \$19.29; equivalent annual income of \$40,120. [6]

Housing Assistance:

Residents seeking assistance through the local housing authority receive little help due to low supply and high demand. Most seeking rental subsidy will wait many years before the opportunity arises. In 2017, there were over 40,000 households waiting for rental assistance vouchers. The supply of vouchers remains limited because housing authorities have not had the opportunity to apply to the federal government for additional housing vouchers since 2003. [6]

Hunger Related Statistics:

As of 2016, 12 percent of the residents in San Bernardino County faced food insecurity. [7]

Crime Rate:

In 2016, the City of San Bernardino had 35 homicides; the per capita rate resulted in the City of San Bernardino outpacing Chicago for the title of deadliest city in the United States. Although the County has seen a slight decline in property crime between 2014 and 2016, it has seen the violent crime rate increase 20 percent. Specifically, since 2014, the rate of rape increased 74 percent, robbery 19 percent, aggravated assault 16 percent, homicide 14 percent (2017- 128 homicides). This rate of increase means that a County resident had a 1 in 18 chance of being a victim of either a violent/property crime. Overall, 97 percent of California communities had a lower crime rate. [6]

Without change to the current structure of the criminal justice system in San Bernardino County, the revolving door of the criminal justice system will continue to turn. The focus of the San Bernardino County Public Defender's Office (hereafter "SBCPD") is to reorient the public, policy makers, law enforcement, prosecutor, judges and probation officers to institute effective criminal justice reform into the County. The SBCPD seeks to introduce a paradigm shift that will be achieved through visionary leadership, community engagement, adequate funding and resources. SBCPD believes its new program, Building Communities through Post-Conviction Relief and Engagement will accomplish the aforementioned goals by: removing artificial barriers to employment and housing, increase client's access to social services, improve client and residents opportunity for civil engagement, and promote clients and residents participation in the community.

The new program will build off the current Post-Conviction Relief Unit (hereafter "PCRU"), which was formed in 2014. Originally, the SBCPD created the PCRU, which was comprised of two attorneys and one office assistant, because the relief granted under Proposition 47 was not automatic. Every person with a criminal history seeking relief needed the assistance of an attorney (SBCPD) because the petitions and the arguments made in support thereof are hyper-technical. As the California Legislature and the electorate continued to pass more criminal justice reform proposition and statues, the department continued to add more staff to provide services to the growing number of eligible individuals who could petition for relief. Today, this unit is currently comprised of four attorneys (including one Supervising Deputy Public Defender), two paralegals and three office assistants. Although the SBCPD has been able to continue to add additional staff, it still faces funding restrictions which limits the department's ability to fully service eligible individuals and develop a comprehensive public education campaign.

A public education campaign is one of the key components of the new program because SBCPD faces limited political engagement and activism of the electorate. In addition to the overall 16 percent poverty rate discussed above, over 40 percent of county residents qualify for Medi-Cal. Given the pressing need

for basic services, many county residents cannot engage in reform efforts and merely subsist. San Bernardino County has many socioeconomic inequities and lacks sufficient reform and progressive-minded residents that engage in the policy-making process. By making direct contact with the electorate, a dialogue for change can begin to address specific local needs, which will be focused on creating pathways out of poverty for low-income communities that can then be carried to the policy makers, law enforcement, probation department, prosecutors and judges.

Over the last year, the SBCPD has been successful in connecting with GO's, CBO's and NGO's in the cities of San Bernardino, Rancho Cucamonga and Victorville. The SBCPD has jointly conducted 20 job, resource and expungement fairs in the last 12 months. At each of these fairs, the PCRU comes into direct contact with 25 to 200 community members who need assistance in just clearing their criminal records. This does not include the number of community members who overall attend the fairs for job, education and social services. Over the last 12 month period, the PCRU has processed 700 applications.

The SBCPD needs to strengthen its current relationship with GO's, CBO's and NGO's, but also expand its reach into the County's remaining 21 urban/rural cities and the 81 unincorporated communities. By tapping into inherent community assets, strengths and resource, SBCPD can make sure that the new program gains a firm foothold in each community and builds a frame work of support that all residents of the communities can rely on to support each other.

Research from Clearinghouse Community, part of the Sargent Shriver National Center on Poverty, supports SBCPD's belief that removing criminal convictions from individuals' records is an effective tool to bring individuals out of poverty. Their study shows that when "expungements" allow a person to get a job, that person's family income increases. Clients at the project earn an average of \$6,190 more each year after an "expungement." [8] One reason "expungement" raises income is that it helps applicants obtain professional licenses. An estimated 20 percent of the U.S. workforce required a professional license. An unquantifiable benefit of "expungement" on employment is workers willingness to apply for jobs, promotions or new positions without fear of disqualification by a background check. [] As more and more people become employed and secure housing, they start to become more self-sufficient. As they begin to lift themselves out of poverty, they start to engage in more community-oriented events rather than worrying about where they will sleep or when their next meal will come. They begin to believe there is greater potential for them out there. [8]

SBCPD, with the assistance of the Vista's, seeks to end the "revolving door of justice" which continually shackles individuals to poverty. This is especially true given that individuals returning from prison face unemployment rates as high as 70 to 80 percent.[5] Studies have shown that 600 days after release from prison, 76 percent of unemployed parolees had recidivated compared to 58 percent of those employed.[6] SBCPD understands that getting people jobs is just not enough. Getting people jobs so they can afford housing and a comfortable living in San Bernardino County is a start to empowering individuals to emerge from poverty. Public defenders from New York to Los Angeles say they have to do a better job of both getting the word out and pushing states to fund those efforts.[9] This is San Bernardino's initial call...

Works Cited:

1. California Department of Corrections and Rehabilitation, "2014 Outcome Evaluation Report" (California Department of Corrections and Rehabilitation, Office of Research, July 2015), http://www.cdcr.ca.gov/Adult_Research_Branch/Research_Documents/2014_Outcome_Evaluation_Reports_7-6-2015
2. John M. Nally et. al., "The Post-Release Employment and Recidivism Among Different Types of Offenders with a Different Level of Education: A 5-Year Follow-Up Study In Indiana," International Journal of Criminal Justice Sentences 9, no. 1 [2014]: 16-34; Mark T. Berg and Beth M.

- Huebner, "Reentry and The Ties That Bind: AN Examination of Social Ties, Employment, and Recidivism," *Justice Quarterly* 28, no. 2, (April 1, 2011).
3. Voice: <https://thevoice.com/san-bernardino-ranks-second-among-california-cities-with-highest-murder-rates/>
 4. Devah Pager, "The Mark of a Criminal Record," *American Journal of Sociology*, 108, no. 5 (2003): 937-75.
 5. Marcus Nieto, "Adult Parole and Probation in California" (California Research Bureau, September 2003), <https://www.library.ca.gov/crb/03/09/03-009.pdf>.
 6. San Bernardino County, Community Indicators Report, (2018), http://www.sbcounty.gov/Uploads/CAO/Feature/Content/SB_2018_REPORT_-3.pdf
 7. San Bernardino County, Public Health, "Food Security and Obesity in San Bernardino County, (2017); <http://wp.sbcounty.gov/dph/wp-content/uploads/sites/7/2018/01/food-security-and-obesity-in-san-bernardino-county-2017.pdf>
 8. Clearing House Community, Part of the Sargent Shriver National Center of Poverty Law, "Expungement: A Gateway to Work", (April 2015). <https://www.povertylaw.org/clearinghouse/articles/expungement>
 9. NPR, "Scrubbing The Past To Give Those With A Criminal Record A Second Chance", (February 19, 2019), <https://www.npr.org/2019/02/19/692322738/scrubbing-the-past-to-give-those-with-a-criminal-record-a-second-chance>

STRENGTHENING COMMUNITIES

In 2014, the San Bernardino County Public Defender (SBCPD) created the Post-Conviction Relief Unit (hereafter "PCRU"), which was comprised of two attorneys and one office assistant, because the relief granted under the new criminal justice reform propositions and statutes is not automatic. Every person with a criminal history seeking relief needs the assistance of an attorney (SBCPD) because the petitions and the arguments made in support thereof are hyper-technical. As the California Legislature and the electorate continued to pass more criminal justice reform proposition and statues, the department has continued to add more staff to provide additional services. Today, this unit is currently comprised of four attorneys (including one Supervising Deputy Public Defender), two paralegals and three office assistants. Although the SBCPD has been able to continue to bring on additional staff, it still faces funding restrictions which limits the department's ability to develop a comprehensive public education and relief campaign.

Over the last year, the SBCPD has been successful in connecting with government organizations (GO's), community-based organizations (CBO's) and non-government organizations (NGO's) in the cities of San Bernardino, Rancho Cucamonga and Victorville. The SBCPD has jointly conducted 20 job, resource and expungement fairs in the last 12 months. At each of these fairs, the PCRU comes into direct contact with 30 to 200 community members who need assistance in just clearing their criminal records. This does not include the overall number of community members who attend the fairs for job, educational, social services and expungements. Over the last 12 month period, the PCRU has processed 1500 applications. The SBCPD needs to further develop its footholds in the above communities while also expanding its reach into the remaining 21 urban/rural cities and the 81 unincorporated communities.

SBCPD needs the assistance of 4 Vista members to expand the scale, impact and resource leveraging ability of the department to implement its new program Building Communities through Post-Conviction Relief and Engagement. Once the Vista's understand SBCPD's commitment to community-oriented defense practices, its holistic representation philosophy and the communities we serve, they will serve as community liaisons to cultivate relationships, form strategic alliances and promote the department's post-conviction relief services with local GO's, CBO's and NGO's.

SBCPD, with the assistance of the Vista's, will roll-out the new program and begin a new grassroots media campaign to discover, cultivate and strengthen relationships with as many local GO's, CBO's, NGO's that can be identified in San Bernardino County. In partnership with these organizations, SBCPD can establish regular job, resource and expungement fairs that not only attract SBCPD's target population, but also other members of the community seeking education, employment and social services.

Vista members will assist SBCPD in creating a model that can be utilized to expand the reach of the new program into the urban, rural and unincorporated communities within San Bernardino County. This model can then be used and modified as needed to ensure success long after the Vista's three years. One of key components to the success and sustainability of the new project will be the ability to track previous performance and results. As the new program takes root in the new communities, SBCPD and the Vista's will develop accurate data tracking systems to assess progress and results.

Vista members will assist SBCPD in creating a system that will not only be able to account for the number of individuals the department comes in contact with at job, resource or expungement fairs, but also the overall number of attendees. This information will be useful when meeting with GO's, CBO's and NGO's

to convince them to become involved because SBCPD can demonstrate the effectiveness of the events and the attention they will receive by attending.

Vista members will assist SBCPD in creating a new post-conviction portal that will not only market the PCRU services, but it will also allow SBCPD's clients to create an account that will allow them to fill out necessary documentation, communicate with staff and track the progress of their request. SBCPD believes the portal will substantially increase the department's ability to manage the influx of more clients while also enabling clients who have limited resources to easily access the necessary documents and forward them to the department. Ultimately, this new system will foster better access and communication between the department and its clients.

Vista members will assist SBCPD in creating a system that will allow the department to follow up with clients who have had their records cleared to track results; employment, promotions, pay increases, housing, restoring voting rights and connecting with social services. The ability to track tangible results is essential to SBCPD's ability to secure more funding resources and staffing in the future. This system will also enable the department, based upon feedback, to make the necessary changes to ensure long-term stability of the program many years after the Vista's leave.

To accomplish all of the goals set forth above, the 4 VISTA members will be housed in the Human Services Division of the Public Defender's Office, located at 900 E Gilbert St., Bldg. 7, in San Bernardino California. These VISTA members will work under the direct supervision of the Chief Deputy Public Defender of the division and the Supervising Deputy Public Defender who is responsible for overseeing the success of the Department's new program.

Day-to-day, the VISTA members will work alongside the Supervising Deputy Public Defender overseeing the post-conviction team. The Chief Deputy, through weekly meetings, will assess progress and help identify challenges and formulate solutions. Monthly reports to the Assistance Public Defender and bi-monthly meetings with the Public Defender will guide the VISTA's focus and strategic approach to support the effective flow of information, establish and promote the program, and effectuate the paradigm shift of criminal justice reform in the county.

Vista members' daily activities will help the SBCPD to develop systems that will allow the SBCPD to do the following:

- Develop and implement a public relations media plan; help conduct community outreach and organizing meetings with community residents and organizations
- Serve as the direct liaison between these groups and the department in order to establish long term sustainable relationship[s] that will assist with the program's success
- Identify potential collaborators and plan informal meetings; improve communication about community projects among partner organizations; Help develop commitments among collaborators to the project
- Develop an outreach plan for target organizations, participants, beneficiaries; help ensure program is relevant to potential partnerships
- Develop a database to track performance measures, success and failure rates; develop social media tools to initiate a grassroots media campaign for the project; train current staff on how to update and maintain the management system; help develop a web based interface/portal

for community based organizations and beneficiaries to use to better access and track services being provided by the department and the project

- Help the department and other community based organizations to recognize the need for volunteers and seek out assistance from organizations such as AmeriCorp Vista; develop partnerships for recruiting volunteers
- Expand existing post-conviction relief efforts to remove criminal convictions from individuals records that prevent employment, promotion, housing or other benefits they may be entitled to
- Help revamp the current system being used to remove criminal convictions that prevent employment, promotion, housing or other benefits

RECRUITMENT AND DEVELOPMENT

METHOD OF RECRUITMENT

The San Bernardino County Public Defender's Office (SBCPD) will seek 4 AmeriCorp Vista members that can serve as a community liaison to cultivate relationship, form strategic alliances and promote the department's post-conviction relief services. The department will advertise and market the position through electronic (email announcements, social media post, department website, AmeriCorp Vista site) and traditional outlets (job board postings, professional journal advertisements), in-person (job/career fairs, community boards and events, workforce development center, etc.), and dedicated recruitment websites.

Department staff will screen candidates for appropriate qualifications, experience and to gauge their commitment. Department staff will screen candidates for appropriate qualifications, experience and to gauge their commitment. Top candidates will be interviewed to ensure that the best qualified candidate(s) is/are selected and join our team.

SKILLS A VISTA SHOULD BRING TO THE POSITION

- Minimum requirement of high school diploma or equivalent.
- Preferred- bachelor's degree- business, accounting, statistics, computer science, social work, public relations, and journalism.
- Organized, able to handle hard deadlines.
- Proficiency in- Word, Excel, PowerPoint, Photoshop, Video editing, Social media (website creation, facebook, twitter)
- Good interpersonal skills.
- Excellent communication skills- oral and written.
- Public Speaking- advocating for others is a key responsibility. Those who love speaking with different kinds of people and making a difference in the lives of others at the grassroots level will thrive in this role.
- Ability to develop contacts in local communities and cultivate sustainable relationships on behalf of the department.
- Serve as a personal contact for the department.
- Ability to coordinate outreach events/meetings.

ADA ACCOMODATIONS-

The SBCPD prides itself on the diversity of its employees, adheres to all Federal Laws regarding accommodating employees with disabilities, and requires all employee attend an in-house training on ADA compliance. SBCPD will provide all reasonable accommodations to meet the needs of qualifying persons with disabilities wishing to serve as a VISTA.

TRANSPORTATION

Although it would be preferred that each Vista member have their own personal transportation, this is not a requirement for selection. The City of San Bernardino has public transportation (bus transit system) that the Vista's would be able to utilize to reach the office they will be assigned to at 900 E. Gilbert St. San Bernardino, California. For travel during work hours or in the course of duties on behalf of the department, the VISTA members (valid driver's license required) will be able to utilize county/department vehicles. Each VISTA will be required to attend a county driver's awareness/safety course upon selection for the position. (no cost will be incurred by the Vista's to attend this course) If in a situation where no county/department vehicle is available for the Vista's to use and their work obligation cannot be rescheduled, Vista's would be reimbursed at the standard mileage rate of \$.58 cents per mile. Vista's may travel an average of 300-500 miles per month using a county vehicle.

INCENTIVES

SBCPD does not currently have the capability to provide any additional incentives at this time other than the training opportunities discussed below.

ORIENTATION AND TRAINING

Upon hiring the Vista members, the Public Defender will announce the member's new role to department staff, key partners and community members. Upon the member's arrival, he or she will be introduced to the executive management team and learn of SBCPD's commitment to community-oriented defense practices and its holistic representation philosophy. After the initial welcoming, the Vista members will be assigned to their regular work location, where he or she will work closely with the Chief Deputy and the Supervising Deputy Public Defender of the post-conviction unit. The Vista members will review the blueprint and plan for implementing the department's Building Communities through Post-Conviction Relief and Engagement. With the support and assistance of the Chief Deputy, Supervising Deputy Public Defender and the post-conviction staff, the Vista members will be consulted in mapping out his or her role in executing the blueprint and achieving the department's goals.

The SBCPD will ensure that the Vista members have the opportunity to visit each SBCPD office location and explore the communities served. SBCPD will also ensure that the Vista members has/have sufficient time to study and understand the departments programs and services, while always having access to the Chief Deputy, Supervising Deputy Public Defender and the post-conviction staff should the members have any questions.

Once the Vista members feel comfortable in their role and understand the requirements, he or she will partner with department staff. Shadowing department staff, at key stakeholder engagements and/or meetings, will allow the Vista members to gain confidence and experience to work more independently and focus on establishing community partnerships and strategic alliances.

Each VISTA member will have the opportunity to attend all in-house trainings that are available to all SBCPD employees. In addition, up to two Vista members may be selected to attend a leadership/management development training program to become a more effective leader.

Throughout the three year program, SBCPD will ensure that the Vista members have assigned office space, office supplies, computer, telephone, iPad, cell phone and county vehicles for transportation between approved events or offices during normal business hours. Also, SBCPD has a full-time IT department that each Vista member will be able to contact should they need technical assistance or support.

VISTA ASSIGNMENT

Over the last year, the SBCPD has been somewhat successful in connecting with CBO's, NGO's to jointly conduct 20 job, resource and expungement fairs. Although the department does receive some phone calls and inquiries for services via the internet, these fairs are currently the primary way the SBCPD is able to make contact with individuals who are potentially eligible to remove convictions off their records.

As has been previously stated throughout this application, the SBCPD needs to expand its efforts, especially given that research shows that 1 in 4 Californians has suffered a criminal conviction. San Bernardino County's population is currently 2,174,938; this means that 543,734 residents have potentially suffered a criminal conviction. Comparing that number to the number of petitions the department has processed in the last year, it is reasonably fair to say that the SBCPD is just scratching the surface in reaching out to individuals who may be eligible to have criminal convictions removed from their records.

Because the SBCPD has such a great need for assistance in expanding its new program, the Vista members key objectives for the next year would be to assist the SBCPD in the following:

- Develop and implement a public relations media plan; help conduct community outreach and organizing meetings with community residents and organizations
- Serve as the direct liaison between these groups and the department in order to establish long term sustainable relationship[s that will assist with the program's success
- Identify potential collaborators and plan informal meetings; improve communication about community projects among partner organizations; Help develop commitments among collaborators to the project
- Develop an outreach plan for target organizations, participants, beneficiaries; help ensure program is relevant to potential partnerships
- Develop a database to track performance measures, success and failure rates; develop social media tools to initiate a grassroots media campaign for the project; train current staff on how to update and maintain the management system; help develop a web based interface/portal for community based organizations and beneficiaries to use to better access and track services being provided by the department and the project
- Help the department and other community based organizations to recognize the need for volunteers and seek out assistance from organizations such as AmeriCorp Vista; develop partnerships for recruiting volunteers
- Expand existing post-conviction relief efforts to remove criminal convictions from individuals records that prevent employment, promotion, housing or other benefits they may be entitled to
- Help revamp the current system being used to remove criminal convictions that prevent employment, promotion, housing or other benefits

As mentioned above, although the SBCPD has been somewhat successful in connecting with CBO's, NGO's and NGO's over the last year in some cities, we need to do more. The Vista members will help implement the departments new program, begin to expand the reach that the department already has

and serve more residents of our community. Not just over the next year, but the final two years of the grant.

PROJECT MANAGEMENT

SUPERVISION

The supervision structure of the Vista members will be as follows:

G. Christopher Gardner- Public Defender- part-time
Thomas Sone- Assistant Public Defender- part-time
Jennie Cannady- Chief Deputy Public Defender- full-time
David McClave- Supervising Deputy Public Defender- full-time

STRATEGIES USED TO ENSURE PREPAREDNESS AND MONITORING PERFORMANCE

To ensure the Vista members are prepared for their assignments, the Public Defender will announce the member's new role to department staff, key partners and community members. The VISTA members will be introduced to the executive management team and learn of SBCPD's commitment to community-oriented defense practices and its holistic representation philosophy. After the initial welcoming, the Vista members will be assigned to their regular work location within the Human Services Division (900 E Gilbert St.), to promote comradery and team cohesion. Each VISTA member will have an assigned work station, office supplies, computer, telephone, iPad, cell phone and access to county vehicles to carry out all of their assigned task. The SBCPD will ensure that the Vista members have the opportunity to visits each SBCPD office location and explore the communities to be served. SBCPD will also ensure that the Vista members have sufficient time to study and understand the departments programs and services.

Initially, Vista members will meet with the Chief Deputy, Supervising Deputy Public Defender and the post-conviction team to discuss the objectives of the new program. As a team, a strategic plan will be developed based upon the strengths and weaknesses of the Vista members and the institutional resources of the department. From there, clearly defined goals will be established so that everyone on the team knows what direction the new program will be heading from the beginning. The team will also develop a project schedule to define a series of task and milestones that must be completed throughout the duration of the programs grant period.

Day-to-day, the Vista members will work alongside the Supervising Deputy Public Defender, 3 Deputy Public Defenders, 2 paralegals and 3 office assistants who make up the post-conviction team. Initially, VISTA members will shadow each of the post-conviction team members to learn what duties and responsibility each team member has. As the Vista members become more comfortable in understanding their roles and requirements, they will slowly begin to work more independently on some of their projects.

The Chief Deputy, through weekly meetings, will assess progress and help identify challenges and formulate solutions. Monthly reports to the Assistance Public Defender and bi-monthly meetings with the Public Defender will guide the VISTA's focus and strategic approach to support the effective flow of information, establish and promote the program, and effectuate the paradigm shift of criminal justice reform in the county.

PROJECT SITES

N/A

COMMUNITY INVOLVEMENT

The SBCD will ensure that low-income communities have input into the projects plan, execution of the project and ongoing support by announcing the new programs implementation at public and private community policy/speaker engagement events. The SBCPD, with the assistance of the Vista members, will also start a new social media campaign to announce the new programs implementation.

The Vista members will also assist the department in identifying potential CBO's, NGO, GO who will assist in establishing job, resource and expungement clinics. The Vista members will be responsible for establishing connections with these organizations, cultivating relationships and being a direct point of contact to make sure that the partnership formed are sustainable. Strong relationships with these organizations are essential to the new programs success because these organization will assist the SBCPD's ability to start a dialogue for change that will begin to address specific local needs, which will be focused on creating pathways out of poverty for low-income communities. Long term, the SBCPD would like to establish regular regional meetings, where interested parties can come together to discuss issues and develop more sustainable long term solutions for low-income communities.

ASSESSMENT OF PROJECT PERFORMANCE

With the assistance of the Vista members, SBCPD will develop a data collection and tracking system that will allow the department to ensure an unduplicated count of outputs and outcomes. A sample of some of the data the department will be looking to track are:

- Number of CBO's, NGO's and GO's contacted by Vista members
- Number of job, resource and expungement fairs attended/established
- Number of communities, cities or unincorporated areas targeted for the fairs
- Overall foot traffic at job, resource and expungement fairs
- Number of CBO's, NGO's, GO's attending the events and the types of services offered
- Number of potential beneficiaries we make contact with
 - Number of potential beneficiaries who receive services from the department
 - Number of eligible beneficiaries who receive services from the department
 - Specific services received
- Outcome of services
 - Petitions granted, denied
 - Follow up- received employment, promotion, pay increase, housing or any other benefits now that conviction has been removed from beneficiaries records
- Website/Portal/Social Media
 - Number of hits and traffic

The data collection and tracking systems will help to establish a database which will allow the department to quickly generate reports. This will enable the management and post-conviction team to access the data and implement any necessary changes as needed.

Online surveys will also need to be developed and used (ex. survey monkey) to track feedback from the departments beneficiaries and also residents, CBO's, NGO's and GO's that the department comes in contact with.

ORGANIZATIONAL CAPACITY

In 1959, the San Bernardino County Board of Supervisors created the Public Defender's Office to provide legal counsel and defense services for persons accused of felony crimes at the Superior Court level who could not afford to employ private attorneys. In 1961, the department's administration oversaw the offices expanded mandate to represent misdemeanor and juvenile clients. The department's mandates have continued to grow over the years, some of those to include individuals committed to the state hospitals under civil commitment statutes, Proposition 36 three strikes reform initiative and youthful offender's parole eligibility hearings.

The San Bernardino County Public Defender's Office mission is "promoting justice and protecting Constitutional rights through excellent representation." The representation we speak about does not end in the courtroom. Using a holistic approach, the San Bernardino County Public Defender's Office seeks to increase client's opportunities for achieving self-sufficiency. In addition to providing legal defense, our department also seeks to arrange client access to social service programs, assistance with substance abuse dependency, counseling for mental health issues, transportation and housing.

Although the San Bernardino County Public Defender's Office has not previously hosted Americorp members or Vista's, the department does have significant experience in developing anti-poverty programing. Since 2010, the department has become a leader in innovation, developing and implementing programs to operate more efficiently and improve San Bernardino County residents' lives. Below is a list of some of the awards that recognizes this department's ambition to bring about social reform:

- National Association of Counties (NACO) Achievement Awards Program- awards program that seeks to recognize innovative county government programs on a national level.
- 2016 Achievement Award- Gateway Mock Trial Program
 - Partnership with other county agencies that allows our department to provide youthful offenders an opportunity to participate in the mock trial program while in a residential program for non-violent offenders.
- 2016 Achievement Award- Law Day
 - Sponsored by the department, attorneys, investigators and social workers give presentations to schools, non-profit organizations, and other community groups located with the county. The subject matter of the presentation focus on either a designated Law Day theme, or is developed to meet the needs, interest or age group of the audience.
- 2015 Achievement Award- AutoFACTS
- 2015 Achievement Award- REBAR
- 2012 Achievement Award- iPad Project
- 2011 Achievement Award- Alternative Approaches to Rehabilitation

- California Public Defender's Association Program of the Year-
 - 2015 REBAR
 - 2012 iPad Project
 - 2010 Alternative Approaches to Rehabilitation

- California State Association of Counties
 - 2013 Challenge Award- REBAR

In addition to developing programs that have been recognized at the national and state levels, the San Bernardino County Public Defender's Office actively engages in community oriented defense through the following:

Commitment to client-centered representation: 1) attorneys, investigators, and social workers who collaborate and participate to help identify client needs 2) refer clients to programs and services 3) resolve criminal matters 4) support family structures, and when possible, 5) address client's civil legal needs. Recently, the department's commitment to Community Oriented Defense allowed a 19 year-old client, facing a life sentence, to return to his family and the community. By engaging the support of social workers, investigators and community-based organizations, the attorney developed and submitted a mitigation brief and supplemental mitigation statement to the court for consideration. The Court, with a more complete picture of the client's history and an understanding of the long-term impact of "tough on crime" policies, granted the client probation. The client, with the support of his family, has access to the resources he needs to successfully reintegrate into the community. Community-oriented defense practices gave this youth a new opportunity to pursue life and avoid continued involvement in the criminal justice system.

Community Engagement speaker series: 1) The Public Defender and executive management staff speak at various public and private community policy related events throughout the state and the country.

Record Clearing and Post-Conviction Relief Programs (hereafter "PRCU"): 1) partnerships with local agencies, community based organization to assist client in clearing their records to reduce consequences of past convictions and removing artificial barriers to self-sufficiency 2) Youthful Offender Mitigation Unit that gathers evidence and prepares a mitigation report for Youthful Offender Parole hearings.

Social Services Practitioner Unit: 1) attorneys refer clients to social workers for needs assessment, referrals to appropriate services and placements that aid in their success. Additionally, social workers perform biopsychosocial assessments, identify mitigation facts and support attorneys in developing and presenting mitigation reports for sentencing phases and at parole hearings.

Immigration Consequences: 1) dedicated immigration law attorneys on staff to defend clients against negative immigration consequences of criminal case dispositions.

Mentoring Programs: 1) collaborative partnership with local colleges, universities and community-based organizations to augment services to clients and support educational and career achievement.

Law Day: 1) community outreach (primarily to local school districts and organizations) to educate the public about the practice of law and the protection of Constitutional rights.

Child and Youth Programs: 1) collaboratives that emphasize education, volunteerism and public service:

- Parent and Child Connection (PACC): reading program that provides incarcerated parents an opportunity to connect with their children. Parents select books, record an audio reading, and send their child the book and accompanying audio.
- County Mock Trial- attorneys coach local high school mock trial teams, evaluate student performances and preside over trials, providing students an opportunity to learn about the criminal justice system.
- Gateway Mock Trial- described above

Truancy Reduction Programs: 1) collaborative partnerships that focus on preventing juvenile involvement in the justice system by addressing factors that lead to chronic school absenteeism.

- Let's End Truancy (LET): department social service practitioners participate in school attendance review board hearings, perform in-home screenings and refer clients and their families to services and community supports.
- Making Attending a Priority (MAP): department social service practitioners focus on educational progress and school attendance to improve the likelihood of long-term student success.
- Supporting Attendance For Education (SAFE): department social service practitioners' focus on providing youth and their families' access to prevention and early intervention services, thereby increasing self-sufficiency and decreasing truancy and substance abuse.

The key partnerships the department will rely upon are community-based organizations (CBO's), non-government organizations (NGO's) and government organizations (GO's), elected officials and community members who can promote the benefits of PCRU services and help educate policy makers and the public on the importance of rehabilitation and community restoration.

The SBCPD will seek 4 Americorp Vista members that can serve as a community liaison to cultivate relationship, form strategic alliances and promote the department's post-conviction relief services. The department will advertise and market the position through electronic (email announcements, social media post, department website, Americorp Vista site) and traditional outlets (job board postings, professional journal advertisements), in-person (job/career fairs, community boards and events, workforce development center, etc.), and dedicated recruitment websites. Department staff will screen candidates for appropriate qualifications, experience and to gauge their commitment. Top candidates will be interviewed to ensure that the best qualified candidate(s) is/are selected and join our team.

San Bernardino County Public Defender is committed to providing post-conviction relief and other appropriate services to our clients and help to reintegrate them into the community. As

such, the department has selected an experience and effective Chief Deputy Public Defender to serve as site supervisor. The Chief Deputy, along with the staff of the PRCU (4 attorney's [1 Supervising Deputy Public Defender], 2 paralegals and 3 office assistants) will all be available and will have the necessary support structure to make sure the Vista members succeed.

Upon hiring the Vista members, the Public Defender will announce the member's new role to department staff, key partners and community members. Upon the member's arrival, he or she will be introduced to the executive management team and learn of SBCPD's commitment to community-oriented defense practices and its holistic representation philosophy. After the initial welcoming, the Vista members will be assigned to their regular work location, where he or she will work closely with the Chief Deputy, Supervising Deputy Public Defender and the post-conviction staff. The Vista member will review the blueprint and plan for implementing the department's Building Communities through Post-Conviction Relief and Engagement. With the support and assistance of the Chief Deputy and the PRCU, the Vista member will be consulted in mapping out his or her role in executing the blueprint and achieving the department's goals.

The SBCPD will ensure that the Vista members have the opportunity to visit each SBCPD office location and explore the communities served. SBCPD will also ensure that the Vista members has/have sufficient time to study and understand the departments programs and services, while always having access to the Chief Deputy and PRCU should the members have any questions.

Once the Vista members feel comfortable in their role and understand the requirements, he or she will partner with department staff. Shadowing department staff, at key stakeholder engagements and/or meetings, will allow the Vista members to gain confidence and experience to work more independently and focus on establishing community partnerships and strategic alliances.

Throughout the three year program, SBCPD will ensure that the Vista members have assigned office space, office supplies, computer, telephone, iPad, cell phone and county vehicles for transportation between approved events or offices during normal business hours.

OTHER

N/A

INTERMEDIARY JUSTIFICATION

N/A

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- Documents
- Performance Measures
- Budget Section 1
- Budget Section 2
- Review
- Authorize and Submit

Sites

Please enter/review your site information.

Site information

SBPD Human Services Division

[view/edit](#)

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Project Application Info

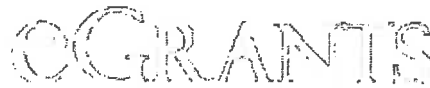
Project Application ID:
19VS218419

NOFA: FY 2020 AmeriCorps
VISTA State New Projects

Type: New
Status: Grantee Initial Entry

Legal Applicant Info

San Bernardino County Public
Defender's Office
900 E Gilbert St
Bldg 24
San Bernardino, CA 92415



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Sites

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* Site Type:

Summer Associates:

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* City:

* State:

* Zipcode: -

* Organization EIN:

* Supervisor Name:

* Supervisor Email:

* Supervisor Contact Phone: , , ext.

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Documents

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Project Application Info

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San Bernardino County Public Defender's Office
900 E Gilbert St
Bldg 24
San Bernardino, CA 92415

Documents

Please select the appropriate status for each document.

Document Status List: [add a new](#)

status entered status not entered

| Document Name | Document Status | delete |
|--|-----------------|--------|
| <input checked="" type="checkbox"/> Auditor's Statement Page | Sent | |
| <input checked="" type="checkbox"/> Articles of Incorporation | Not Applicable | |
| <input checked="" type="checkbox"/> Board of Directors | Not Applicable | |
| <input checked="" type="checkbox"/> Organizational Chart | Sent | |
| <input checked="" type="checkbox"/> Tax-Exempt Status Form | Not Applicable | |
| <input checked="" type="checkbox"/> Supervisor's Resume | Sent | |
| <input checked="" type="checkbox"/> Negotiated Indirect Cost Agreement | Not Applicable | |
| <input checked="" type="checkbox"/> Supervisor's Job Description | Sent | |
| <input checked="" type="checkbox"/> Two Letters of Support | Sent | |

← back save next →

David McClave

900 E. Gilbert St., Bldg, 7, San Bernardino CA 92415, (909) 387-0569
dmcclave@pd.sbcounty.gov

Education

- Concordia University Irvine, Bachelors in History/Political Science, 2000
- California Western School of Law, Juris Doctorate, 2004

Work Experience

- San Bernardino County Public Defender's Office, Deputy Public Defender I – V, July 2007 – August 2017. Supervising Deputy Public Defender- August 2017 – present.
- San Diego County Public Defender's Office, Deputy Public Defender I, April 2006 – April 2007.
- Van Dyke & Associates, Post Bar Law Clerk/Associate Attorney, August 2004 – March 2006.
- San Diego County Public Defender's Office, Certified Law Clerk, November 2002 – August 2003.

Leadership Roles

- Supervising Deputy Public Defender, Human Services Division- currently directly supervise 11 attorneys, 3 investigators, 1 investigative technician, 5 office assistants
- Supervising Deputy Public Defender, Rancho Division- directly supervised 10 attorneys and 4 office assistant
- Civil Commitment Unit- oversaw the work of seven attorneys, one Public Service Employee and one Investigator.
- Deputy Public Defender II-V Central- team leader of 30 different attorneys during my time spent working in the Central Division. Conducted recruitment and interviews of law clerks and new attorneys.
- Conducted numerous trainings for the office within the last few years in the areas of 1368, mental health, civil commitments, preliminary hearings, felony sentencing and trial advocacy.

Leadership Training

- County of San Bernardino Management Leadership Academy- Supervisor Development
- County of San Bernardino Management Leadership Academy- Management Development
- San Bernardino County Public Defender's Office Management Seminar
- California Public Defender's Association Annual Management Seminar- 2014, 2016, 2017
- NLADA's New Leadership Training- 2017

Volunteer Service

- Gateway, CASA Golf Tournament, Law Day, Mock Trial, Youth Court Judge, Expungement Clinics, Option House speaker, Community Collaboration Rialto and San Bernardino Unified School Districts

SUPERVISING DEPUTY PUBLIC DEFENDER JOB DESCRIPTION

Definition

Under general direction, supervises the operations of a functional unit or branch office of the Law Offices of the Public Defender; performs related duties as required.

Distinguishing Characteristics

Positions in this class are characterized by the responsibility for directing the daily operations of a functional unit or branch office which includes administrative support and supervision of attorneys and clerical staff. This class is distinguished from the Chief Deputy Public Defender by the latter's overall managerial responsibility for multiple branch offices or a major functional unit.

Examples of Duties

Duties may include, but are not limited to, the following:

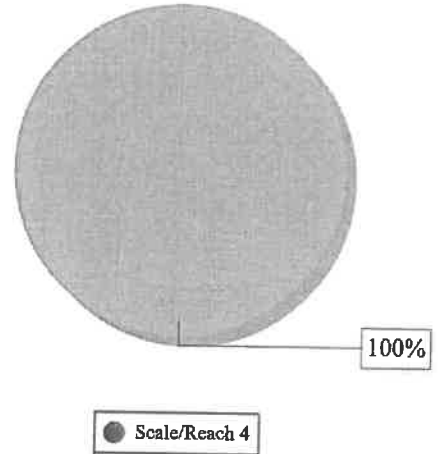
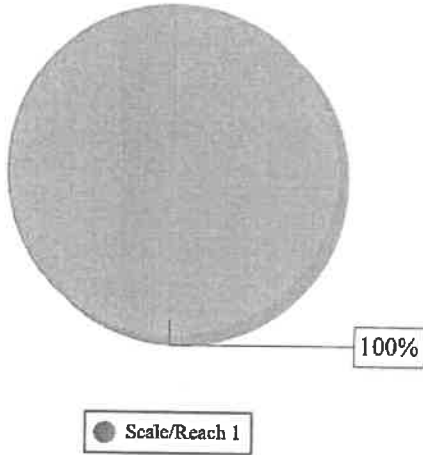
1. Assigns all cases; supervises and directs the preparation, presentation and appeal of cases, maintains court calendars.
2. Supervises the daily operations of the office and the administration of criminal cases processed by that office; provides budgetary input.
3. Participates in hiring and disciplinary actions; trains and evaluates work performance of trial attorneys, recommends personnel actions.
4. Checks questions of law and counsels attorneys on strategy; reviews and evaluates disposition of difficult and politically sensitive cases.
5. Maintains liaison with department administration, police agencies, courts and other County offices.
6. Conducts caseload analysis; studies calendar patterns and office efficiency; devises and implements techniques to improve operational effectiveness.
7. Conducts trial defense of clients charged with a wide variety of offenses; decides and makes appropriate legal motions and pleas, and takes other legal action on behalf of client; prepares trial strategy and argues cases.
8. Prepares briefs, appeals, writs and other legal documents; orders investigations and subpoenas.
9. Provides vacation and temporary relief as required.

PM Summary Report for Application ID: 19VS218419

Grant application ID: 19VS218419
NOFA: FY 2020 AmeriCorps VISTA State New Projects
Type: New Application **Status:** Grantee Initial Entry
Submitted:
Legal Applicant Name: San Bernardino County Public Defender's Office

of Capacity Building PM's per Capacity Building Goal

of VISTAs Requested per Capacity Building Goal



SBPD Human Services Division

Scale/Reach - Full Time

| | |
|-----------------------|------------------------------|
| Capacity Goal | Scale/Reach |
| Objective | Capacity Building & Leverage |
| Project Year | 1 |
| # of VISTAs Requested | 4 |

Output

Number of beneficiaries who receive services from the project

Target 2500 Individual Clients where petition are filed

Measured By Other

Describe Instrument Tracking mechanism that ensures an unduplicated count of individuals who have received services

Output

Number of collaborative relationships establish with CBO's, NGO's, GO's

Target 10 Individual organization

Measured By Other

Describe Instrument Tracking mechanism and database to ensure an unduplicated count of the number of CBO, NGO, GO organizations contacted, collaboration/partnership formed; services each organization offers or contributes to project

Outcome

Increase the programs scale and reach

Target 6 cities or unincorporated areas

Measured By Other

Describe Instrument Tracking mechanism to ensure an unduplicated count of the number of cities and unincorporated communities services are provided in.

PM Summary Report for Application ID: 19VS218419

SBPD Human Services Division

Scale/Reach - Full Time

Service Activities

Community assessment

Description

Help design a community assessment plan and a system to monitor the most pressing community needs and challenges

Service Activities

Community awareness and engagement

Description

Help to develop and implement a public relations media plan; help conduct community outreach and organizing meetings with community residents and organizations

Service Activities

Expand/strengthen partnerships/networks

Description

Identify potential collaborators and plan informal meetings; improve communication about community projects among partner organizations; Help develop commitments among collaborators to the project

Service Activities

Outreach

Description

Develop an outreach plan for target organizations, participants, beneficiaries; help ensure program is relevant to potential partnerships

Service Activities

Performance measurement

Description

Help develop a management system for the project and for the anti-poverty programming

Service Activities

Program Development and Delivery

Description

Help to expand existing post-conviction relief efforts and develop the new community engagement efforts

Service Activities

Technology use

Description

Develop a database to track performance measures, success and failure rates; develop social media tools to initiate a grassroots media campaign for the project; train current staff on how to update and maintain the management system; help develop a web based interface/portal for community based organizations and beneficiaries to use to better access and track services being provided by the department and the project

Service Activities

Volunteer recruitment and management system

Description

Help the department and other community based organizations to recognize the need for volunteers and seek out assistance from organizations such as AmeriCorp Vista; develop partnerships for recruiting volunteers

Anti-Poverty PM1.2 - Employment

Focus Area

Economic Opportunity

Objective

Employment

of VISTAs Requested 4

Anti-Poverty Output

O1A: Number of individuals served

Target

4500 Individuals

Measured By

Describe Instrument

Make contact with individuals who have criminal convictions that may be eligible for post-conviction relief

PM Summary Report for Application ID: 19VS218419

SBPD Human Services Division

Scale/Reach - Full Time

Anti-Poverty PM1.2 - Employment

Anti-Poverty Outcome

O21: Number of individuals with improved job readiness

Target 2000 Individuals

Measured By

Describe Instrument Submit petitions to the court to on behalf of individuals who have criminal convictions that are eligible for post-conviction relief

Anti-Poverty Program Strategy/Intervention

Job eligibility

Description Remove criminal convictions that prevent employment or promotion

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Budget Section I. Volunteer Support Expenses

Please enter the necessary budget information for your project.

Budget Section 1

Budget Section 2

Review

Authorize and Submit

Project Personnel Expenses : Add a new budget item

| Position/Title | Qty | Annual Salary | % Time | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|--------------------------|-----|---------------|--------|--------------|------------|---------------|----------------|-------------|-----|
| VISTA Project Supervisor | | | 0.0 | \$0 | \$0 | \$0 | \$0 | edit | |
| Subtotal | 0 | \$0 | | \$0 | \$0 | \$0 | \$0 | | |

Personnel Fringe Benefits : Add a new budget item

| Item | Description | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|------------------|-------------|--------------|------------|---------------|----------------|-------------|-----|
| FICA | | \$0 | \$0 | \$0 | \$0 | edit | |
| Health Insurance | | \$0 | \$0 | \$0 | \$0 | edit | |
| Retirement | | \$0 | \$0 | \$0 | \$0 | edit | |
| Life Insurance | | \$0 | \$0 | \$0 | \$0 | edit | |
| Subtotal | | \$0 | \$0 | \$0 | \$0 | | |

Local Travel : Add a new budget item

| Purpose | Calculation | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|-----------------|-------------|--------------|------------|---------------|----------------|------|-----|
| Subtotal | | | | | | | |

Long Distance Travel : Add a new budget item

Project Application Info

Project Application ID:
19VS218419

NOFA: FY 2020 AmeriCorps
VISTA State New Projects

Type: New
Status: Grantee Initial Entry

Legal Applicant Info

San Bernardino County Public
Defender's Office
900 E Gilbert St
Bldg 24
San Bernardino, CA 92415

| Purpose | Destination | Trans. Amount | Meals/ Lodging | Other Travel | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|---------|-------------|---------------|----------------|--------------|--------------|------------|---------------|----------------|------|-----|
|---------|-------------|---------------|----------------|--------------|--------------|------------|---------------|----------------|------|-----|

Subtotal

Equipment : Add a new budget item

| Item/Purpose | Qty | Unit Cost | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|--------------|-----|-----------|--------------|------------|---------------|----------------|------|-----|
|--------------|-----|-----------|--------------|------------|---------------|----------------|------|-----|

Subtotal

Supplies : Add a new budget item

| Item | Calculation | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|------|-------------|--------------|------------|---------------|----------------|------|-----|
|------|-------------|--------------|------------|---------------|----------------|------|-----|

Subtotal

Contractual Service : Add a new budget item

| Purpose | Calculation | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|-----------------|-------------|--------------|------------|---------------|----------------|-------------|-----|
| Payroll | | \$0 | \$0 | \$0 | \$0 | edit | |
| Subtotal | | \$0 | \$0 | \$0 | \$0 | | |

Other Volunteer Support Costs : Add a new budget item

| Item | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|-------------------------|--------------|------------|---------------|----------------|-------------|-----|
| Criminal History Checks | \$0 | \$0 | \$0 | \$0 | edit | |
| Communications | \$0 | \$0 | \$0 | \$0 | edit | |
| Printing | \$0 | \$0 | \$0 | \$0 | edit | |
| Logistics | \$0 | \$0 | \$0 | \$0 | edit | |
| Audit | \$0 | \$0 | \$0 | \$0 | edit | |
| Subtotal | \$0 | \$0 | \$0 | \$0 | | |

Indirect Costs : Add a new budget item

| Cost Type | Basis | Calculation | Rate | Rate Claimed | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|-----------|-------|-------------|------|--------------|--------------|------------|---------------|----------------|------|-----|
|-----------|-------|-------------|------|--------------|--------------|------------|---------------|----------------|------|-----|

Subtotal

Subtotal:

| Total Amount | CNCS Share | Grantee Share | Member Support |
|--------------|------------|---------------|----------------|
| \$0 | \$0 | \$0 | \$0 |
| | 0% | 0% | 0% |

508 Approved | Contact Help Desk | disable the pictures
Release version: 6.13

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Education and End of Service Awards

| Item | # Mbrs | Rate | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|---|----------|-----------------|-----------------|------------|---------------|-----------------|-------------|-----|
| Education Award | 4 | \$5,920 | \$23,680 | \$0 | \$0 | \$23,680 | edit | |
| Education Award - Summer Associate | 0 | \$1,252 | \$0 | \$0 | \$0 | \$0 | | |
| End of Service Stipend - Regular | | \$1,800 | \$0 | \$0 | \$0 | \$0 | edit | |
| End of Service Stipend - Leader | | \$3,000 | \$0 | \$0 | \$0 | \$0 | edit | |
| End of Service Stipend - Summer Associate | 0 | \$311 | \$0 | \$0 | \$0 | \$0 | | |
| Subtotal | 4 | \$12,283 | \$23,680 | \$0 | \$0 | \$23,680 | | |

Health Insurance

| Item/Description | # Mbrs | Rate | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|------------------|----------|----------------|-----------------|------------|---------------|-----------------|-------------|-----|
| Health Insurance | 4 | \$2,700 | \$10,800 | \$0 | \$0 | \$10,800 | edit | |
| Subtotal | 4 | \$2,700 | \$10,800 | \$0 | \$0 | \$10,800 | | |

FICA

| Item/Description | Stipend Amount | Rate (%) | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|------------------|----------------|----------|--------------|------------|---------------|----------------|-------------|-----|
| FICA | | 7.65% | \$0 | \$0 | \$0 | \$0 | edit | |
| Subtotal | \$0 | | \$0 | \$0 | \$0 | \$0 | | |

Travel : Add a new budget item

| Item/Description | Calculation | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|----------------------|-------------------------------------|----------------|------------|----------------|----------------|-------------|------------|
| SBCPD/Human Services | \$0.58 cents per mile reimbursement | \$2,000 | \$0 | \$2,000 | \$0 | edit | del |
| Subtotal | | \$2,000 | \$0 | \$2,000 | \$0 | | |

Other Volunteer Expenses : Add a new budget item

| Item | Description | Total Amount | CNCS Share | Grantee Share | Member Support | edit | del |
|-------------------------------------|--|--------------|------------|---------------|----------------|------|-----|
| SBCPD/Human Services | Management Leadership Training for 2 VISTA members | \$1,500 | \$0 | \$1,500 | \$0 | edit | del |
| Federal COLA Increase | | \$0 | \$0 | \$0 | \$0 | edit | |
| Non-Federal COLA/Costshare Increase | | \$0 | \$0 | \$0 | \$0 | edit | |
| Fingerprinting Reimbursement | Enter \$25 per full-time grant VISTA | \$0 | \$0 | \$0 | \$0 | edit | |
| Pre-Service Orientation | | \$0 | \$0 | \$0 | \$0 | edit | |
| Early/In-Service Training | | \$0 | \$0 | \$0 | \$0 | edit | |
| Subtotal | | \$1,500 | \$0 | \$1,500 | \$0 | | |

Subtotal:

| Total Amount | CNCS Share | Grantee Share | Member Support |
|--------------|------------|---------------|----------------|
| \$96,644 | \$0 | \$32,832 | \$63,812 |
| | 0% | 34% | 66% |

Validate this budget

10/10/2019, 9:10 PM, EDT

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eGRANTS

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Start New Project Application

Start New

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- Applicant Info
- Application Info
- Narratives
- Sites
- Documents
- Performance Measures
- Budget Section 1
- Budget Section 2
- Review
- Authorize and Submit

NOFA Information

- **NOFA:** FY 2020 AmeriCorps VISTA State New Projects
- **Project Application ID #:** 19VS218419
- **Due Date:** 09/15/2020
- **Summary:** The FY 2020 AmeriCorps VISTA State NEW Projects NOFA is for new projects with start dates between October 2019 and September 2020. Please contact your CNCS State Office for confirmation if uncertain which NOFA to apply against.

View/Print your application

Please click on any of the following links to view/print a report.

- **Application View Revision Log**
- **Application for Federal Assistance: view/print report**
- **Budget: view/print report**
- **Budget Narrative: view/print report**
- **Program Summary Chart: view/print report**

Project Application Info

Project Application ID:
19VS218419

NOFA: FY 2020 AmeriCorps
VISTA State New Projects

Type: New
Status: Grantee Initial Entry

Applicant Info: edit

- **Applicant/User:** Mr. David Mcclave
- **Authorized Representative:** Mcclave, David
- **Applying Type:** New
- **Applying:** Directly to CNCS

Legal Applicant Info

San Bernardino County Public
Defender's Office
900 E Gilbert St
Bldg 24
San Bernardino, CA 92415

Application Info: edit

- **Areas affected by the project:**
San Bernardino County
- **Project Start and End Dates:** 12/22/2019 ~ 03/27/2022
- **Subject to Review by State Executive Order 12372 Process:** No
- **Delinquent on any federal debt?** No

Narratives: edit

- Executive Summary: entered
- Summary of Accomplishments: entered
- Need: entered
- Strengthening Communities: entered
- Recruitment and Development: entered
- VISTA Assignment: entered
- Project Management: entered
- Organizational Capability: entered
- Other: entered
- Intermediary Justification: entered

Documents: edit

- Auditor's Statement Page - Sent
- Articles of Incorporation - Not Applicable
- Board of Directors - Not Applicable
- Organizational Chart - Sent
- Tax-Exempt Status Form - Not Applicable
- Supervisor's Resume - Sent
- Negotiated Indirect Cost Agreement - Not Applicable
- Supervisor's Job Description - Sent
- Two Letters of Support - Sent

Budget Section 1 Subtotal: edit

| Total Amount | CNCS Share | Grantee Share | Member Support |
|--------------|------------|---------------|----------------|
| \$0 | \$0 | \$0 | \$0 |
| | 0% | 0% | 0% |

Budget Section 2 Subtotal: edit

| Total Amount | CNCS Share | Grantee Share | Member Support |
|--------------|------------|---------------|----------------|
| \$96,644 | \$0 | \$32,832 | \$63,812 |
| | 0% | 34% | 66% |

Budget Total: Validate this budget

| Total Amount | CNCS Share | Grantee Share | Member Support |
|--------------|------------|---------------|----------------|
| \$96,644 | \$0 | \$32,832 | \$63,812 |
| | 0% | 34% | 66% |

MEMORANDUM OF AGREEMENT FOR AMERICORPS VISTA PROJECTS

Effective March 1, 2019



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I. Purpose of the Memorandum of Agreement (MA) and Provisions

This Memorandum of Agreement and its Provisions (“MA” or “Memorandum of Agreement”) constitute a binding agreement between the Corporation for National and Community Service (CNCS) and the Sponsor regarding its AmeriCorps VISTA Project. This Memorandum of Agreement details the number of AmeriCorps VISTA members that may be assigned to the Sponsor, the respective roles and responsibilities of CNCS and the Sponsor regarding the operation of its VISTA project, and the full range of legal requirements of the Sponsor in the programmatic operations of its VISTA project. The assignment of AmeriCorps VISTA members under this MA is subject to the Sponsor’s acceptable past performance, if applicable, and to the availability of funds. It is the Sponsor’s responsibility to ensure that the MA is signed by an authorized representative empowered to enter legal agreements with the Federal Government.

The Memorandum of Agreement is signed electronically in CNCS’s electronic grant management system by both parties. On the rare occasion that a Sponsor is unable to electronically sign the MA, documentation of that restriction must be provided to CNCS in advance. The electronic signature process will still be required to process the Project Application, but a scanned version of the physical MA (as approved by the CNCS Office of General Counsel) with physical signatures will be uploaded to the system and will supersede the digital MA and Provisions.

To the extent CNCS awards any grant funds associated with this Agreement, neither this Agreement, nor its Provisions, shall go into effect until the date of CNCS’s award of the grant funds as set forth in the Notice of Grant Award.

II. Definitions

1. **Sponsor** refers to the non-profit organization or government agency that applies for and receives an award to place AmeriCorps VISTA members, and if applicable, receive a VISTA Support or Program grant.
2. **Project** refers to the set of activities, as set forth in the Project Application, for which the federal award of VISTA resources was made.
3. **Site** refers to an organization, usually separate from the Sponsor that hosts AmeriCorps VISTA members who were assigned to the Sponsor’s VISTA Project, and where the AmeriCorps VISTA members perform service activities.
4. **Service Location** refers to an organization not hosting or receiving AmeriCorps VISTA members that directly benefits from the services of one or more VISTA members, as set forth in the Project Application.
5. **Memorandum of Understanding (MOU)** refers to the agreement document between the Sponsor and each of its Sites as outlined in Section IV, Number 4.
6. **Applicant** and **Candidate** are used to refer to individuals seeking to enroll in the AmeriCorps VISTA program. An applicant is an individual who has applied to one (1) or more VISTA service opportunities created by the Sponsor and is awaiting further action on their application. A candidate is an individual who is recommended by the Sponsor to be selected to serve in the VISTA program and whose completed application has been approved by CNCS. Neither an applicant nor a candidate is a member, and neither an applicant nor a candidate is currently enrolled in the VISTA program.
7. **Member** refers to an individual that has taken the Oath of VISTA service and is currently enrolled in the AmeriCorps VISTA program.

III. CNCS Responsibilities

- 1) **Recommendation and Selection.** Following the Sponsor's recommendation for selection, the CNCS State Office reviews the Applicant's application subject to suitability and eligibility requirements and the availability of funds. CNCS selects and assigns individuals to serve as AmeriCorps VISTA members with the Sponsor's project. All candidate selections and assignments are at the discretion of CNCS.
- 2) **VISTA Assignment Description (VAD).** Each member has a VISTA Assignment Description (VAD) that sets forth the scope of VISTA activities that the member is expected to perform during their service term at the Sponsor. As part of the recruitment process, the Sponsor will prepare a VAD for each VISTA position that is in alignment with the goals described in the Project Application. While VADs may be developed and proposed by the Sponsor, all VADs must be reviewed and approved by CNCS.
- 3) **Orientation and Training.** CNCS will provide candidates an online Member Orientation at the start of the service term and may provide additional training later in the service year. The Sponsor will provide On-Site Orientation and Training (OSOT) for members, and in-service training (online or face-to-face), as specified in the Project Narrative.

During the Member Orientation, which includes two extended webinars, CNCS will provide information regarding volunteer discrimination complaint rights and procedures and grievance rights and procedures, in accordance with federal law and applicable regulations. Prior to the Member Orientation webinars, and throughout the service term, CNCS will make available to all candidates and members the AmeriCorps VISTA Member Handbook.

- 4) **Member Benefits.** CNCS will provide AmeriCorps VISTA members with any benefits to which each is eligible, as prescribed by statute and VISTA program policy. Depending on the eligibility and circumstances of each VISTA member, benefits may include a living allowance, relocation assistance, an end of service award, health benefits and child care coverage.
- 5) **Oversight.** CNCS will periodically review the use of its AmeriCorps VISTA members to achieve the objectives and perform the task(s) specified in the Project Application. This review may include monitoring and/or onsite visits and interviews with Sponsor staff, Site staff and the AmeriCorps VISTA members.
- 6) **Communication with Sponsor.** CNCS will provide the Sponsor timely information concerning applicable CNCS and AmeriCorps VISTA regulations, policies and procedures.
- 7) **Project Support.** CNCS will provide technical assistance to the Sponsor and, subject to the availability of funds, conduct training for the Sponsor's Project Director and/or Supervisor(s).
- 8) **Removal and Termination.** CNCS will promptly respond to written requests by the Sponsor to remove any AmeriCorps VISTA member from the project in accordance with AmeriCorps VISTA regulations, policies and procedures. CNCS will effect removals of AmeriCorps VISTA members from Sponsors, and

effect early terminations from the AmeriCorps VISTA program of AmeriCorps VISTA members. CNCS has sole responsibility to effect a member's removal from a Sponsor and termination from the AmeriCorps VISTA program.

IV. Sponsor Responsibilities

- 1) **Project Operation Requirements.** The Sponsor will operate the project in accordance with the Domestic Volunteer Service Act of 1973 ("the Act"), applicable program policies and regulations, and other Federal laws, and regulations that are, or become, applicable to the AmeriCorps VISTA program. The Sponsor will also operate the project in accordance with the approved Project Application. The Sponsor will also engage in best efforts to accomplish the goals set out for the AmeriCorps VISTA members in the Project Application, and comply with the Certifications and Assurances included within the Project Application.
- 2) **Community Involvement.** To the maximum extent practicable, the Sponsor and each of its Sites will consult with and involve the people of the community or communities to be served by AmeriCorps VISTA members in planning, developing, and implementing the project.
- 3) **Project Director/Supervisor and Site Supervisor Training.** Subject to the availability of funds, CNCS will conduct training for the Sponsor's Project Director and/or Supervisor(s). In such case, the Sponsor shall ensure that the individual named in the Project Application as the Project Director/Supervisor participates in such training, and shall ensure the training of Site supervisors with the support of the CNCS State Office.
- 4) **Intermediary Projects.** The Sponsor may carry out a VISTA project through, in part, one or more Sites. The Sponsor must enter into a Memorandum of Understanding (MOU) with each Site that is a separate legal entity. The MOU must have at least the following elements:
 - a. Written understanding and agreement that the Site is required to properly ensure that all VISTA resources are used to carry out the VISTA project in conformity with all applicable CNCS laws, regulations, policies, procedures, program guidance and the MA Provisions;
 - b. Responsibilities of the parties and other program requirements;
 - c. Policies and procedures regarding requesting removal of VISTA members;
 - d. Records to be kept and reports on project and member progress to be submitted; and
 - e. Written understanding and agreement that while the Sponsor maintains responsibility for the Site's proper use of VISTA members, the Site may be held financially responsible to CNCS for the inappropriate use of all such VISTA resources by the Site.

The Sponsor retains the responsibility for compliance with this Memorandum of Agreement; any agreements that it has with Site(s); all applicable regulations; and all applicable policies, procedures, and program guidance issued by CNCS regarding the VISTA program. Evidence of each Site's eligibility to receive AmeriCorps VISTA resources must be maintained by the Sponsor and available for review by CNCS and the CNCS Office of Inspector General. The Sponsor shall not request or receive any compensation from any Site for services performed by a VISTA member or Summer Associate. The

Sponsor shall not request or receive application fees or any other compensation from a potential Site or a potential service location as consideration for the Site or service location to operate as part of the Sponsor's project. The Sponsor shall not receive payment from, or on behalf of, any Site for costs associated with VISTA program assistance, except for reasonable and actual costs incurred by the Sponsor directly related to the Site's participation in a VISTA project.

- 5) **Site Support Payment (SSP).** The Sponsor may only receive payment from, or on behalf of any Site, for reasonable and actual costs associated with VISTA program assistance incurred by the Sponsor directly related to the Site's participation in a VISTA project. Thus, Sponsors may only receive "Site Support Payments" (SSPs) for reasonable and actual costs incurred by the Sponsor directly related to the Site's participation in the VISTA project. SSPs may only be collected by Sponsors for expenses directly attributable to the VISTA project and that are not being funded by CNCS via a Support or Program grant. SSPs shall not be collected for any costs related to the Sponsor's overall operating expenses. SSPs are separate from, and must be treated separately from, funds that a Sponsor receives from a Site for the purpose of cost sharing the VISTA living allowance. SSPs may not be required of, or received from, performance measurement-only service locations (described in the Definitions section) as they do not receive members. The Sponsor must provide a line item breakout for each year's projected SSP in their project application. The same SSP information must be included in the Memorandum of Understanding (MOU) with each Site.
- 6) **Delegation and Subcontracting.** The Sponsor is prohibited from delegating or assigning any of its obligations or duties contained in this Memorandum of Agreement, with the exception of delegation or assignment to approved Sites. AmeriCorps VISTA members may be assigned by the Sponsor to perform duties with other eligible public or private non-profit agencies or organizations (Sites or service locations) as described in the Project Application and in accordance with written MOUs with each Site. AmeriCorps VISTA grant funds, if provided to the Sponsor, may not be sub-granted to other organizations.
- 7) **Proper Use of VISTA Resources at All Times.** VISTA resources include the time and activities of the VISTA member CNCS assigns to the VISTA Sponsor and supports through VISTA member benefits. The Sponsor is required to ensure that all VISTA resources are properly used at all times. If CNCS determines that the Sponsor, and/or, if applicable, any Site of the Sponsor (as described in the Definitions section), has misused VISTA resources in violation of Federal law, Federal regulation, or the terms or conditions of this Memorandum of Agreement, the Sponsor and/or the Site may be held financially responsible to reimburse CNCS for VISTA living allowances, and, if applicable, end of service awards and other CNCS funds provided in support of a VISTA member. Whether the Sponsor and/or the Site is held financially responsible to reimburse CNCS is within CNCS's complete discretion.
- 8) **Recruitment and Recommendation for Selection.** The Sponsor will use the CNCS recruitment system to post service opportunities, review applications and make candidate recommendations for selection to the CNCS State Office, in advance of Pre-Service Orientations. The Sponsor will review and act on all submitted applications, whether to accept or reject them, in a timely manner. To ensure applicants are suitable for AmeriCorps VISTA service, the Sponsor will interview and screen applicants and verify references prior to recommending applicants to CNCS for selection.
- 9) **VISTA Assignment Description (VAD).** As part of the recruitment process, the Sponsor will prepare a VISTA Assignment Description for each VISTA position that is in alignment with the goals described in

the Project Application. Upon the Sponsor's recommendation of an applicant's selection, and prior to CNCS's approval of that applicant to be a member, the sponsor will assign an approved VAD to the individual.

- 10) **Orientation and Training.** The Sponsor will arrange and be responsible for providing in-depth On-Site Orientation and Training (OSOT) for all incoming AmeriCorps VISTA members at the beginning of their service. The Sponsor will assist CNCS, as needed, in the provision of pre-service and in-service training (online or face-to-face), as specified in the Project Narrative. The Sponsor will submit OSOT plans to the appropriate CNCS State Office at least thirty (30) days in advance of the candidate's first day of service. OSOT must begin on the member's first day of service and be completed within the first four weeks of an AmeriCorps VISTA member's assignment to the Sponsor. The Sponsor should provide additional training designed to foster project and member success and to include professional development throughout the member's assignment year.
- 11) **Supervision and Project Support.** The Sponsor shall supervise all assigned AmeriCorps VISTA members on a day-to-day basis, and as described in the Project Narrative. If AmeriCorps VISTAs are placed at Sites, the Sponsor shall ensure that each Site organization provides day-to-day supervision and support. The Sponsor will provide service-related transportation, administrative resources and other project support needed to successfully conduct the project activities. Service-related transportation may include mileage reimbursement for the member(s)' vehicles, public transportation fares and/or use of vehicles owned or leased by the Sponsor.
- 12) **Health and Safety.** The Sponsor shall make every reasonable effort to ensure that the health and safety of all assigned AmeriCorps VISTA members are protected during the performance of their assigned duties. The Sponsor shall not assign or require AmeriCorps VISTA members to perform duties which would jeopardize their safety or cause them to sustain injuries. In the event of a serious injury, the Sponsor shall notify CNCS promptly.
- 13) **Grievance Rights.** The Sponsor will comply with all AmeriCorps VISTA members' grievance rights and procedures in accordance with federal law, applicable regulations, and the AmeriCorps VISTA Member Handbook. CNCS will provide to Sponsors and AmeriCorps VISTA candidates and members information regarding volunteer discrimination complaint procedures, and grievance procedures, as provided in federal law, applicable regulations, and the AmeriCorps VISTA Member Handbook.
- 14) **Record-keeping.** The Sponsor shall create and maintain records involving AmeriCorps VISTA members and the project, including the tracking of leave taken by assigned AmeriCorps VISTA members, as CNCS may require. Those records shall be made available to CNCS and the CNCS Office of Inspector General upon request. The Sponsor agrees to retain such records for a period of three years after completion or termination of the project, or longer if required for administrative proceedings and/or litigation purposes, and to provide access to such records to CNCS for the purpose of litigation, audit or examination.
- 15) **Emergency Funds.** If circumstances require, the Sponsor will advance up to \$500.00 to any AmeriCorps VISTA member in case of any emergency (e.g., critical illness or death in the immediate family) to be reimbursed by the AmeriCorps VISTA member when the AmeriCorps VISTA member has completed and submitted an AmeriCorps VISTA Payment Voucher. CNCS will not be responsible for the

reimbursement of these funds unless the AmeriCorps VISTA Payment Voucher form is submitted to CNCS.

- 16) **Unscheduled Absences.** The Sponsor and/or Site supervisor will report to the appropriate CNCS State Office, within 24 hours, the unscheduled departure of all assigned AmeriCorps VISTA members, and otherwise keep CNCS timely informed of unscheduled changes of status and conditions of AmeriCorps VISTA members, such as arrests, medical emergencies, hospitalization, and absence without leave.
- 17) **Days of Service.** Should activities be organized in the communities where the AmeriCorps VISTA members are assigned for service, the Sponsor will allow assigned AmeriCorps VISTA members to participate in Days of Service, e.g., Martin Luther King, Jr. Day of Service and the September 11th National Day of Service and Remembrance.
- 18) **Removal Requests.** The Sponsor will contact their CNCS Program Officer whenever there is a concern with a member's conduct or performance. If the Sponsor wishes for CNCS to remove the member from the project, they must submit that request in writing including supporting documentation (letter or email). CNCS will promptly respond to written requests by the Sponsor to remove any member from the project in accordance with CNCS's policies and procedures. When warranted, CNCS will effect removals of AmeriCorps VISTA members from the Sponsor, and effect early terminations from the AmeriCorps VISTA program of its members. CNCS has the sole authority to remove and terminate AmeriCorps VISTA members.
- 19) **Close of Service.** Forty-five (45) days prior to the end of an AmeriCorps VISTA's service term, the member must complete the Future Plans Form (FPF). The Sponsor must work with the member(s) to ensure the FPFs are done and when submitted, is required to complete the Sponsor's section of the FPF within five (5) workdays after receipt. The Sponsor or its Site supervisors may provide letters of reference to their AmeriCorps VISTA members.

V. Reporting Requirements

- 1) **Sponsor Verification Form.** On a biweekly basis, the Sponsor must complete and submit the Sponsor Verification Form within three (3) workdays of receipt to confirm which AmeriCorps VISTA members remained active during the previous pay period, and which AmeriCorps members left service at the Sponsor during the previous pay period. If applicable, the Sponsor must indicate the actual departure date of any AmeriCorps VISTA member who leaves during the period pay period if the departure is prior to completion of their service term. This reporting requirement does not replace the requirement of the Sponsor or its Sites to notify CNCS immediately regarding the departure (e.g., early termination, AWOL) of any of its AmeriCorps VISTA members. The Sponsor must certify the Form even if no AmeriCorps VISTA members left/leave during the pay period covered by the Form.
- 2) **Project Progress Reports.** The Sponsor will submit Project Progress Reports within the required time frame.

- 3) **VISTA Progress Report Supplement (VPRS).** The Sponsor will submit the VPRS within the required time frame, generally 30-45 days after the end of the federal fiscal year.
- 4) **Federal Financial Report (FFR):** If awarded a Support or Program grant, the Sponsor will submit the required FFRs within the required time frame as described in the separate Notice of Grant Award (NGA).

VI. Other Legal Requirements

- 1) **Status of VISTA Members during Service.** AmeriCorps VISTA members are eligible for all benefits and coverage provided to them under the Domestic Volunteer Service Act of 1973 (the Act), including the “income disregard” provisions as set forth at 42 U.S.C. § 5044 of the Act; the Federal Employees Compensation Act (FECA); and the Federal Tort Claims Act (FTCA).

AmeriCorps VISTA members shall not be considered employees of the Sponsor. AmeriCorps VISTA members are deemed employees of the federal government only for those limited purposes identified at 42 U.S.C. § 5055 of the Act.

- 2) **Prohibition on Nepotism.** To avoid actual or apparent favoritism in the operation of an AmeriCorps VISTA project, CNCS’s AmeriCorps VISTA program prohibits certain assignment arrangements, as follows:
 - a. **VISTA members.** An AmeriCorps VISTA member cannot be assigned to an AmeriCorps VISTA project Site if s/he is:
 - i. in the immediate family (e.g., spouse, domestic partner, parent or guardian whether by blood or adoption, child whether by blood or adoption) of a staff member of the project or the Site or a CNCS staff person in the applicable State Office;
 - ii. a close relative, whether by blood or adoption, (e.g., grandparent, grandchild, aunt, uncle, niece, nephew, first cousin) of a staff member of the project or the Site, or a CNCS staff person in the applicable State Office;
 - iii. in the immediate family (e.g., spouse, domestic partner, parent or guardian whether by blood or adoption, child whether by blood or adoption) of a member of the board of directors of the specific AmeriCorps VISTA project Site where the VISTA member reports for service; or
 - iv. a close relative, whether by blood or adoption, (e.g., grandparent, grandchild, aunt, uncle, niece, nephew, first cousin) of a member of the board of directors of the specific AmeriCorps VISTA project Site where the VISTA member reports for service.
 - b. **VISTA Project Supervisory Employees.** A project and/or Site employee is prohibited from holding a VISTA project supervisory position if s/he:

- i. is in the immediate family (e.g., spouse, domestic partner, parent or guardian whether by blood or adoption, child whether by blood or adoption) of any CNCS official responsible for the AmeriCorps VISTA project.
 - ii. is a close relative, whether by blood or adoption, (e.g., grandparent, grandchild, aunt, uncle, niece, nephew, first cousin) of any CNCS official responsible for the AmeriCorps VISTA project.
 - iii. is in the immediate family (e.g., spouse, domestic partner, parent or guardian whether by blood or adoption, child whether by blood or adoption) of any project Site employee who holds supervisory authority over him/her; or
 - iv. is a close relative, whether by blood or adoption, (e.g., grandparent, grandchild, aunt, uncle, niece, nephew, first cousin) of any project Site employee who holds supervisory authority over him/her.
- 3) **Nondiscrimination.** No person with responsibilities in the operation of the project shall discriminate against any AmeriCorps VISTA member, or member of the staff, or beneficiary of the project, with respect to any aspect of the project on the basis of race, religion, color, national origin, sex, sexual orientation, age, disability, political affiliation, marital or parental status, or military service.
- 4) **Ensuring Accessibility for Persons with Disabilities.** By signing this MA, the Sponsor certifies that it has conducted a self-evaluation of its compliance with Section 504 of the Rehabilitation Act of 1973, including that it has taken all reasonable measures to ensure that its facilities and all participating Sites are accessible to qualified persons with disabilities, promotes their equal participation, and does not otherwise discriminate against such persons based on disability.
- 5) **Sexual Harassment.** Sexual harassment is a form of discrimination based on sex that is prohibited. As the recipient of federal resources from CNCS, the Sponsor is responsible for violations of the prohibition against sexual harassment and for taking corrective action toward and/or disciplinary action against Sponsor staff or Site staff, if such violations occur. CNCS is responsible for violations of the prohibition against sexual harassment and for taking corrective action toward and/or disciplinary action against VISTA members, if such violations occur. Such sexual harassment violations include:
 - a. Acts of “quid pro quo” sexual harassment where a supervisor demands sexual favors for service benefits, regardless of whether the Sponsor, its agents or supervisory employees should have known of the acts.
 - b. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of sexual nature which have the purpose or effect of creating an intimidating, hostile or offensive service environment.
 - c. Acts of sexual harassment toward fellow AmeriCorps VISTA members or non-employees, where the Sponsor, its agent or its supervisory employees knew or should have known of the conduct, unless it took immediate and appropriate corrective action.
- 6) **Supplemental Payments Prohibited.** Monetary living (living) allowances provided to AmeriCorps VISTA members are designed to permit AmeriCorps VISTA members to live at or below the economic level of

the persons served, as required by law. Neither the Sponsor nor its Sites may supplement these allowances in a manner that would interfere with the member's experience of living at or below the poverty level. Sponsors and Sites are strictly prohibited from providing VISTA members or Summer Associates with monetary assistance.

- 7) **Prohibitions of Use of CNCS Resources by Sponsor.** The Sponsor agrees that no AmeriCorps VISTA member assigned to the Sponsor, and no other federal financial assistance provided by CNCS, shall be used to assist, provide or participate in:
- a. Partisan and non-partisan political activities associated with a candidate, including voter registration or providing voter transportation to the polls;
 - b. Direct or indirect attempts to influence passage or defeat of legislation or proposals by initiative petition;
 - c. Labor or anti-labor organization or related activities;
 - d. Religious instruction, worship services, proselytization, or any other religious activity as part of their duties;
 - e. Activities or service that would supplant the hiring of or result in the displacement of employed workers, existing volunteers or impair existing contracts for service;
 - f. Receiving or accepting compensation from AmeriCorps VISTA members or from beneficiaries for the services of AmeriCorps VISTA members;
 - g. Requesting, charging or accepting participation or application fees from potential VISTA applicants or candidates; or
 - h. Requiring or accepting project application fees from potential Sites.
- 8) **Other Prohibited Activities.** The Sponsor agrees that it is prohibited from allowing AmeriCorps VISTA members assigned to the project to engage in the following activities:
- a. Reporting or completing Progress Reports, the VISTA Progress Report Supplement (VPRS), Continuation applications or Amendments, the Sponsor Verification Report or other reports and forms required of the Sponsor in eGrants; and
 - b. Taking actions in any CNCS system on behalf of the Sponsor for any other CNCS programs, such as applying for and reporting on CNCS grants, selecting AmeriCorps members, tracking hours or closing out service terms and granting AmeriCorps Education Awards.
- 9) **Whistleblower Rights and Remedies for Employees of the Sponsors.** The Sponsor is required to notify all of its employees in writing of employee whistleblower rights and protections under 41 U.S.C. § 4712, as described at <https://www.cncsoig.gov/whistleblower-protection>. As such, Sponsor is required

to notify all of its employees that they may not be discharged, demoted, or otherwise discriminated against for disclosing information that an employee reasonably believes is evidence of:

- a. Gross mismanagement or waste of a Federal contract or grant;
- b. An abuse of authority relating to a Federal contract or grant (an arbitrary and capricious exercise of authority that is inconsistent with the mission of CNCS or the successful performance of a contract or grant of CNCS);
- c. A substantial and specific danger to public health or safety; or
- d. A violation of law, rule, or regulation related to a Federal contract or grant.

The Sponsor is required to notify all of its employees that an employee may disclose suspected wrongdoing described above to any of the following:

- a. The CNCS Office of Inspector General;
- b. A CNCS employee responsible for contract or grant oversight or management;
- c. A management official or other employee of the Sponsor who has the responsibility to investigate, discover, or address misconduct, or;
- d. An authorized official of the U.S. Department of Justice or other law enforcement agency, a Member of Congress, or a representative of a committee of Congress, or the Government Accountability Office (GAO).

The Sponsor is required to notify all of its employees in writing that if an employee believes that he or she has been subjected to reprisal for disclosed wrongdoing described above, the employee may submit a complaint to the CNCS OIG within three (3) years of the date on which the alleged reprisal took place.

10) **Amendments.** This Memorandum of Agreement may be amended at any time, in writing, by authorized representatives of the Sponsor, and the appropriate CNCS State Director.

11) **Increases in AmeriCorps VISTA Payment Amounts during This Agreement.** The parties to this Agreement are cognizant of the likelihood of future area-based “cost-of-living” increases to subsistence allowances, to which AmeriCorps VISTA members would be entitled, in the course of their service at the Sponsor. The parties specifically intend that their respective obligations to pay, or reimburse amounts paid to, AmeriCorps VISTA members shall reflect and be adjusted to account for such general increases, in accordance with the Act and CNCS’s regulations and procedures.

12) **Severability.** If any provision of this Agreement is construed as illegal or invalid, this will not affect the legality or validity of any of the other provisions contained in this Agreement. The illegal or invalid provision will be deemed stricken and deleted from the Agreement to the same extent and affect as if it never existed, but all other provisions will continue in effect.

13) **Termination and Suspension**

- a. Sponsor: Right to Terminate with Notice. The Sponsor may terminate this Agreement at any time by giving at least thirty (30) days' notice in writing to CNCS of its intent.
- b. CNCS: Right to Terminate or Suspend. CNCS may terminate or suspend this Agreement in accordance with applicable terms and procedures set forth in applicable Federal regulations and 42 U.S.C. § 5052. The Sponsor understands and agrees that CNCS may take action to terminate or suspend this Agreement, or deny renewal of this Agreement or VISTA resources, for failure to comply with the applicable terms and conditions of this Agreement.

14) **Order of Precedence.** In the event of inconsistencies or conflicts between the Project Narrative and the Agreement, this Agreement shall govern.

15) **Notices.** All notices and communications required to be given to CNCS by the Sponsor, shall be directed to the CNCS State Program Director or Program Officer. All notices to be given to the Sponsor by CNCS shall be directed to the Project Director as indicated in the Project Application.

- a. In the event that any of the parties or addresses referenced in the above paragraph change, written notice to all other parties must be provided within seven (7) days of the change. Such written notice must include the Project Number and Sponsor EIN. Within seven (7) days of the change, the Sponsor must also update its information in eGrants, including deactivating staff accounts for individuals no longer working at the Sponsor's organization.

VII. Affiliation with AmeriCorps VISTA

- 1) **Identification as an AmeriCorps VISTA Project or Member.** The Sponsor must identify the project as an AmeriCorps VISTA project and assigned members as AmeriCorps VISTA members. In cases where the Sponsor has one or more Site(s) or service location(s) as described above in Section II, "Definitions" of this Memorandum of Agreement, all Site agreements related to the AmeriCorps VISTA project must explicitly state that the project is an AmeriCorps VISTA project and assigned AmeriCorps VISTA members are the resource being provided.
- 2) **The AmeriCorps VISTA Name and Logo.** AmeriCorps VISTA is a registered service mark of the Corporation for National and Community Service. CNCS provides a camera-ready logo. Sponsors and Sites must use the AmeriCorps VISTA name and logo in accordance with CNCS requirements. The Sponsor may not use or display the AmeriCorps VISTA name or logo in connection with any prohibited activity referenced in Section VI, "Other Legal Requirements" of this Memorandum of Agreement.