

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

June 9, 2026

**FROM**

**JASON ANDERSON, District Attorney**

**SUBJECT**

Agreement with the California Victim Compensation Board for the Criminal Restitution Program

**RECOMMENDATION(S)**

1. Approve **Agreement No. 26-419** with the California Victim Compensation Board (State Agreement No. S26-010), including non-standard terms, to receive funding for the Criminal Restitution Program in the amount of \$449,859, for the period of July 1, 2026 through June 30, 2029.
2. Adopt **Resolution No. 2026-59**, as required by the California Victim Compensation Board, authorizing the District Attorney to sign and submit the agreement referenced in Recommendation No. 1 on behalf of the County, including the confidentiality statement and certification, and any subsequent non-substantive amendments, subject to review by County Counsel.
3. Direct the District Attorney to transmit the agreement documents and any subsequent non-substantive amendments to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Michael Fermin, Chief Assistant District Attorney, 382-3663)

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

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The total funding of \$449,859 from the California Victim Compensation Board (CalVCB) will be distributed to the District Attorney's Office (Department) in the amount of \$149,953 annually, for three years beginning in 2026-27, with no local match required. This revenue will be used to help fund staff assigned to the Department's Criminal Restitution Program (Program), including one Restitution Specialist (Paralegal) and one Senior Legal Support Assistant. Sufficient appropriation and revenue related to this item has been included in the Department's 2026-27 recommended budget and will be included in future recommended budgets.

**BACKGROUND INFORMATION**

In 1997, CalVCB implemented the Program to increase imposition of statutorily mandated restitution fines and restitution orders in criminal cases. This Program was established to ensure there would be funding available state-wide to assist victims of crime. San Bernardino County (County) has been receiving funding under this Program for the last 29 years.

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The recommended agreement with CalVCB will allow the Department to receive an allocation of funding for the County's Program for the next three years. Specifically, these funds will be used by the Department to offset the projected cost of staff assigned to educate criminal justice personnel regarding restitution requirements of the California Constitution and California Penal Code. The Program staff coordinates with Deputy District Attorneys, Probation Officers, law enforcement agencies, court personnel, and others to provide information necessary to ensure proper restitution fines and/or orders are imposed in accordance with applicable statutes.

The Department received notification from CalVCB to sign and return the agreement by May 15, 2026. This item is being presented at this time, as it is the first available date following the required operational, fiscal and legal review. An extension has been granted through June 12, 2026, to ensure adequate time to obtain Board of Supervisors (Board) approval.

The agreement contains the following non-standard provisions, which requires Board approval:

1. The agreement requires any disputes, which cannot be resolved by mutual agreement, to be decided by CalVCB's Administration Division Chief or designee. The decision of the Administration Division Chief, issued in writing, shall be final.
  - Standard County policy requires a non-binding form of dispute resolution.
  - Potential Impact: All disputes, which cannot be resolved by mutual agreement, will be settled by a final and binding decision by CalVCB's Administration Division Chief. The County's right to challenge the decision will be limited.
  
2. The County is required to indemnify the CalVCB from any and all claims and losses accruing or resulting from any and all claims and losses resulting from the performance of the agreement.
  - The County standard contract does not include any indemnification or defense by the County of a contractor.
  - Potential Impact: By agreeing to indemnify CalVCB, the County could be contractually waiving the protection of sovereign immunity. Claims that may otherwise be barred against the County, time limited, or expense limited could be brought against the CalVCB without such limitations and the County could be responsible to defend and reimburse the CalVCB for costs, expenses, and damages.

The Department recommends approval of the agreement, including non-standard terms, for receipt of funding in the amount of \$449,859 for the Program.

**PROCUREMENT**

N/A.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Daniella Hernandez, Deputy County Counsel, 387-3121) on May 15, 2026; and County Finance and Administration (Elias Duenas, Administrative Analyst, 387-4052) on May 19, 2026.

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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY  \_\_\_\_\_  
DATED: June 9, 2026



cc: DA - Walker w/agree for sign  
Contractor - c/o DA w/agree  
File - w/agree  
CCM 06/10/2026