

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

December 3, 2024

FROM

JASON ANDERSON, DISTRICT ATTORNEY

SUBJECT

Non-Financial Agreement and Ratification of Non-Financial Agreements for Services to Victims of Crime

RECOMMENDATION(S)

1. Approve non-financial **Operational Agreement 24-1215** with Citrus Counseling Services, a non-profit 501(c)(3), to authorize mutual referral for victims and witnesses of crime to receive services, and for allowing Citrus Counseling Services to fulfill its grant obligations, for the term of January 1, 2025 through December 31, 2025.
2. Authorize the District Attorney to execute the non-financial Operational Agreement with Citrus Counseling Services, and any subsequent non-substantive amendments, on behalf of the County, subject to review by County Counsel.
3. Ratify previous action taken by the District Attorney in executing the following non-financial agreements with local police departments and non-profit Community Based Organizations, for the term of July 1, 2024 through December 31, 2027, in order to fulfill grant requirements of the Cal OES Victim Witness Assistance Grant:
 - a. A Better Way Victor Valley Domestic Violence, Inc., **Contract No. 24-1216**
 - b. Barstow Police Department, **Contract No. 24-1217**
 - c. California Highway Patrol, **Contract No. 24-1218**
 - d. Chino Police Department, **Contract No. 24-1219**
 - e. Colton Police Department, **Contract No. 24-1220**
 - f. Desert Sanctuary, Inc., **Contract No. 24-1221**
 - g. DOVES of Big Bear Valley, Inc., **Contract No. 24-1222**
 - h. Family Assistance Program, **Contract No. 24-1223**
 - i. Fontana Police Department, **Contract No. 24-1224**
 - j. Forgotten Children, Inc., **Contract No. 24-1225**
 - k. House of Ruth, **Contract No. 24-1226**
 - l. Montclair Police Department, **Contract No. 24-1227**
 - m. Morongo Basin Unity Home, **Contract No. 24-1228**
 - n. Ontario Police Department, **Contract No. 24-1229**
 - o. Option House, Inc., **Contract No. 24-1230**
 - p. Partners Against Violence, **Contract No. 24-1231**
 - q. Project Sister Family Services, **Contract No. 24-1232**
 - r. Redlands Police Department, **Contract No. 24-1233**
 - s. Rialto Police Department, **Contract No. 24-1234**
 - t. Riverside-San Bernardino County Indian Health, Inc., **Contract No. 24-1235**
 - u. San Bernardino Police Department, **Contract No. 24-1236**
 - v. Upland Police Department, **Contract No. 24-1237**

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4. Direct the District Attorney to transmit the non-financial Operational Agreement with Citrus Counseling Services, 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, 382-3662)

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 the recommendation will not result in the use of additional Discretionary General Funding (Net County Cost). The non-financial Operational Agreement with Citrus Counseling Services (CCS) and non-financial agreements with local non-profit Community-Based Organizations (CBOs) and police departments, facilitate mutual referrals of victims of crime or witnesses of crime to services. These non-financial agreements help ensure the availability of comprehensive services, minimize gaps in service delivery, and meet the obligations of grant award agreements.

BACKGROUND INFORMATION

The District Attorney (Department) is the public prosecutor and has the mandated responsibility to prosecute crimes committed within San Bernardino County (County), including city jurisdictions, pursuant to Government Code Section 26500. In addition to investigating and prosecuting crime, the Department is also mandated to provide services to victims of crime pursuant to Penal Code Section 13835 et. seq. through a Victim Witness Assistance Program.

The Department has been administering the Victim Witness Assistance Program since 1980 (June 23, 1980, Item No. 74), when the Board of Supervisors (Board) designated the Department as program coordinator of the Victim/Witness Assistance Program and authorized an application to receive funds to operate the Victim/Witness Assistance Program. On September 29, 2020 (Item No. 28), the Board re-affirmed the Department's role by declaring the Department to be the major provider of comprehensive services to victims and witnesses of crime for the County, in accordance with the requirements of Penal Code Section 13835.2.

On October 22, 2024 (Item No. 22), the Board approved the annual Victim Witness Grant Subaward, Contract No. 24-1021 (Grant Subaward) between the Department and the California Office of Emergency Services (Cal OES) from October 1, 2024 through September 30, 2025 in the amount of \$3,053,239 which included a match of \$372,086 from the County. The Grant Subaward requires the recipients of grant funding to partner with local non-profit CBOs through non-financial agreements, including, but not limited to, Operational Agreements, Memorandums of Understanding, and Plans of Cooperation (collectively referred to as Operational Agreements). These Operational Agreements ensure availability of comprehensive services for victims and witnesses of crime. They enable the Department to refer victims to services that it may not provide or for longer-term services, while also enabling CBOs to refer victims to the Department for services outside of their scope.

The Department has taken this requirement a step further to partner with police departments to provide services to victims or witnesses of crime at an earlier stage of the criminal justice process. Over the years, the police departments have come to rely on the Department to assist victims in ways that they cannot. Services provided by the Department include crisis intervention, emergency assistance, court accompaniment, education of the criminal justice

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process, notifications of case status, referrals to physical and mental health providers, and guidance for victims to apply for benefits from the California Victim Compensation Board to offset economic losses experienced resulting from the crime.

The Department currently has a total of 22 non-financial Operational Agreements, 11 with CBOs, 10 with police departments, and one agreement with the California Highway Patrol. The Department anticipates that Cal OES will continue to require Operational Agreements as a condition of funding. Historically, County procedure did not require delegated authority for the Department to sign non-financial agreements that were a condition of grant funding, nor did it require standard language for indemnification and insurance in Operational Agreements. However, County procedure has changed, and the Department will add the required standard language to its current and future Operational Agreements.

The Department requests that the Board ratify previous action taken by the District Attorney in executing non-financial agreements with the local police departments and CBOs in Recommendation No. 3 during the summer of 2024 for the period of July 1, 2024 through December 31, 2027 in order to fulfill grant requirements of the Cal OES grant. In the past, the Board has approved the Cal OES grant application, which included the Operational Agreements, in accordance with County Policy 5-13.

Cal OES transitioned to an automated grant management system, Grants Central System (GCS), in July 2024. GCS requires direct data entry into an online application and does not generate a traditional application with attachments. Due to an administrative error, the Operational Agreements with the local police departments and CBOs in Recommendation No. 3 were not included as attachments when presenting the grant application for approval to the Board on September 24, 2024 (Item No. 33), which is why the Operational Agreements require ratification at this time.

CCS requested that the Department sign an Operational Agreement for the period of January 1, 2025 through December 31, 2025, in accordance with the requirements of their grant application to Cal OES. The Department has had Operational Agreements with CCS since 2017. This Operational Agreement allows both the Department and CCS to refer victims to one another and outlines the services the Department offers to victims. CCS is a reliable and consistent partner; the Department recommends approval of the Operational Agreement with CCS. Additionally, to be in compliance with County policy, the Department has included indemnification and insurance provisions to the Operational Agreement and CCS has agreed to these requirements.

Approval of this item will ensure that the Department is complying with grant requirements and the Department's collaborative partnerships with local non-profit CBOs and police departments continue and comprehensive services are made available to victims and witnesses of crime.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Daniella Hernandez, Deputy County Counsel,

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387-5455) on November 14, 2024; Risk Management (Gregory Ustaszewski, Staff Analyst II, 386-9008) on November 14, 2024; Kathleen Gonzalez, Administrative Analyst, 387-5412) on November 15, 2024; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on November 15, 2024.

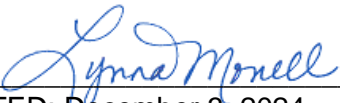
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: December 3, 2024



cc: DA - Walker w/agree for sign
 Contractor - c/o DA w/agree
 File - w/agree
CCM 12/6/2024