

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

September 24, 2024

**FROM**

**JASON ANDERSON, District Attorney**

**SUBJECT**

Grant Agreement with the California Office of Traffic Safety for the San Bernardino County Alcohol and Drug Impaired Driver Vertical Prosecution Program

**RECOMMENDATION(S)**

1. Approve **Grant Agreement No. 24-892** (State Agreement No. DI25031) with the California Office of Traffic Safety for the San Bernardino County Alcohol and Drug Impaired Driver Vertical Prosecution Program, in the amount of \$931,858, for the period of October 1, 2024 through September 30, 2025.
2. Adopt a **Resolution No. 2024-138** approving the Grant Agreement and authorizing the District Attorney, as required by the California Office of Traffic Safety, to electronically sign and submit the Grant Agreement, and any subsequent non-substantive amendments, on behalf of the County, subject to review by County Counsel.
3. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary budget adjustments, in the amount of \$40,281, as detailed in the Financial Impact section (Four votes required).
4. Direct the District Attorney to submit the Grant Agreement and any 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 this item will not result in the use of additional Discretionary General Funding (Net County Cost). The \$931,858 grant award will fund the cost of two Deputy District Attorneys and one District Attorney Senior Investigator assigned to the San Bernardino County Alcohol and Drug Impaired Driver Vertical Prosecution Program (Program), along with Driving Under the Influence (DUI) testing costs, for the period of October 1, 2024 through September 30, 2025. There is no local match associated with the grant. If future grant funding is reduced, staff will be transitioned to vacancies within the District Attorney (Department) and the grant position(s) will be deleted.

The Department had anticipated a grant amount of \$891,577 and included this amount in the 2024-25 budget for the Program; however, due to an increased award, the Department recommends the following adjustments to the Department's 2024-25 budget to recognize the additional funds:

**Grant Agreement with the California Office of Traffic Safety for the San Bernardino County Alcohol and Drug Impaired Driver Vertical Prosecution Program  
September 24, 2024**

<b>Fund Center</b>	<b>Commitment Item</b>	<b>Description</b>	<b>Action</b>	<b>Amount</b>
4500001000	52002445	Other Professional & Specialized Services	Increase	\$40,281
4500001000	40509155	Federal – Pass Through	Increase	\$40,281

Adequate appropriation and revenue will be included in future recommended budgets.

**BACKGROUND INFORMATION**

The California Office of Traffic Safety (OTS) grant will provide funding for the Program. This Program allows for two Deputy District Attorneys to file and prosecute alcohol and drug impaired driving cases throughout each step of the criminal process. These cases range from misdemeanor DUI through felony DUI. Actions for each case include working with law enforcement agencies to provide guidance during investigation, initial case review, case filing, prosecution, and eventual sentencing. This is the third year of the grant that the Department has been funded for a District Attorney Senior Investigator that will be used to consult and offer assistance on all Driving Under the Influence of Drugs (DUID) related issues, including, but not limited to reviewing police reports, responding to the scene of a traffic fatality, offering strategies in prosecutions and case presentations, and testifying as an expert in court.

The Department’s participation in the Program will continue the sharing of information, through roundtable discussions, with law enforcement personnel throughout the county, with the goal to reduce alcohol/drug-involved traffic fatalities and injuries throughout the county. In the roundtable discussions, law enforcement personnel are able to discuss challenges encountered and seek guidance on various laws regarding impaired driving. The Department has been receiving grant funds from OTS annually for this purpose since 2012.

On January 23, 2024 (Item No. 33), the Board of Supervisors (Board) approved the Department’s grant application to OTS requesting grant funding for the period of October 1, 2024 through September 30, 2025. On August 16, 2024, the Department was notified of a tentative grant award awaiting final OTS management approval. It is anticipated the grant award will be ready for electronic signature prior to the start of the grant period of October 1, 2024.

**PROCUREMENT**

N/A

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Daniella Hernandez, Deputy County Counsel, 387-5455) on August 29, 2024; Auditor-Controller/Treasurer/Tax Collector (Charlene Huang, Auditor-Controller Manager, 382-3196) on September 11, 2024; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412) on September 3, 2024; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on September 10, 2024.

**Grant Agreement with the California Office of Traffic Safety for the San Bernardino County Alcohol and Drug Impaired Driver Vertical Prosecution Program  
September 24, 2024**

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, Curt Hagman, Joe Baca, Jr.  
Absent: Dawn Rowe

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: September 24, 2024



cc:    DA - Walker w/agree for sign  
      Contractor - c/o DA w/agree  
      File - w/agree  
MBA   09/24/2024