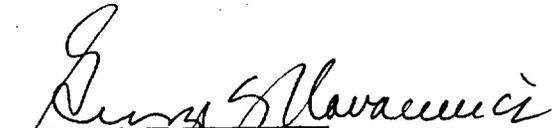


Resolution of the Governing Board

Due to time constraints, a resolution cannot be submitted with this application

As allowed by OCJP guidelines, the applicant submit a resolution of the Governing Board for receipt no later than 6/1/99


George J. Kovacevich
for
Ronald L. Ruiz
District Attorney

5/10/99
Date

PROJECT SERVICE AREA INFORMATION

1. **COUNTY OR COUNTIES SERVED:** Enter the name(s) of the county or counties served by the project. Put an asterisk where the principal office of the project is located.

Santa Cruz*

2. **U.S. CONGRESSIONAL DISTRICT(S):** Enter the number(s) of the U.S. Congressional District(s) which the project serves. Put an asterisk for the district where the principal office of the project is located.

15th District

17th District*

3. **POPULATION OF SERVICE AREA:** Enter the total population of the service area served by the project.

242,975

PROJECT CONTACT INFORMATION

Applicant: COUNTY OF SANTA CRUZ
Implementing Agency (if applicable): DISTRICT ATTORNEY'S OFFICE
Project Title: ANTI-DRUG ABUSE PROSECUTION PROGRAM
Grant Number (to be added by OCJP): _____

Provide the name, title, address and telephone number for the project contact persons named below.

1. The person having day-to-day responsibility for the project: (Project Manager)

Name: George Kovacevich
Title: Chief Deputy District Attorney
Address: 701 Ocean Street, Room 200
Santa Cruz, California 95060

Telephone Number: (831) 454-2400 Fax Number: **(831) 454-2227** Page Number: ()
E-mail address:

2. The person to whom the person listed in #1 is accountable: (Project Director)

Name: Ronald L. Ruiz
Title: District Attorney
Address: 701 Ocean Street, Room 200
Santa Cruz, California 95060

Telephone Number : (831) 454-2400 Fax Number: (831) 454-2227 Pager Number: ()
E-mail address:

3. The Chief Executive Officer (e.g., chief of police, superintendent of schools) of the implementing agency:

Name: Jeff Almquist
Title: Chairperson, Board of Supervisors
Address: 701 Ocean Street, Room 500
Santa Cruz, California 95060

Telephone Number : (831) 454-2400 Fax Number: (831) 454-2227 Pager Number: ()
E-mail address:

4. The Chair of the Anti-Drug Abuse Steering Committee:

Name: Mark Tracy
Title: Sheriff-Coroner
Address: 701 Ocean Street, Room 200
Santa Cruz, California 95060

Telephone Number : (831) 454-2414 Fax Number: (831) 454-2353 Pager Number: ()
E-mail address:

5. The Financial Officer:

N a m e : Rosemarie Manley
Title: Fiscal Officer
Address: 701 Ocean Street, Room 200
Santa Cruz, California 95060

Telephone Number : **(831) 454-2400** Fax Number: (831) 454-2227 Pager Number: ()
E-mail address:

CERTIFICATION OF ASSURANCE OF COMPLIANCE

Note: There are *different* requirements for state *and federal funds*. (Those *affecting* only federally funded projects are identified.)

I, RONALD L. RUIZ, hereby certify that:
(official authorized to sign **grant** award; same person as line 13 on Grant Award Face Sheet)

GRANTEE: COUNTY OF SANTA CRUZ

IMPLEMENTING AGENCY: SANTA CRUZ COUNTY DISTRICT ATTORNEY'S OFFICE

PROJECT TITLE: ANTI-DRUG ABUSE ENFORCEMENT PROGRAM

will adhere to all of the Grant Award Agreement requirements (state and/or federal) as directed by the Office of Criminal Justice Planning including, but not limited to, the following areas:

- I. Equal Employment Opportunity
- II. Drug-Free Workplace Act of 1990
- III. California Environmental Quality Act (CEQA)
- IV. Lobbying
- V. Debarment, Suspension, and Other Responsibility Matters
- VI. Other OCJP Certifications as Applicable

I. EQUAL EMPLOYMENT OPPORTUNITY (EEO)

A. General EEO Rules **and Regulations** (State and Federal)

The applicant selected for funding acknowledges awareness of, and the responsibility to comply with, the following Equal Employment Opportunity requirements by signing the Grant Award Face Sheet (OCJP **A301**), including this Certification of Assurance of Compliance, and submitting the application to the Office of Criminal Justice Planning (OCJP).

1. California Fair Employment and Housing Act (**FEHA**) and Implementing Regulations, California Administrative Code, Title 2, Division 4, Fair Employment and Housing Commission.
2. California Government Code Article 9.5, Sections 11135-11139.5 and Implementing Regulations, California Administrative Code, Title 22, Sections 98000-98413.
3. Title VI of the Civil Rights Act of 1964.

4. Title V, Section 504 of the Rehabilitation Act of 1973 (29 USCS Section 974) and Federal Department Regulations on its implementation; Government Code Section 4450, et. seq.
5. Subtitle A, Title II of the Americans with Disabilities Act (ADA), 42 USC Sections 12131-12134 and U.S. Department of Justice implementing regulations, 28 CFR, Part 3 5.
6. U.S. Department of Justice Regulations, 28 CFR, Part 42, Equal Employment Opportunity, Policies and Procedures -- **applies to federally funded grants only.**

Federal and state agencies have the legal right to seek enforcement of the above items of this assurance of compliance.

All appropriate documentation must be maintained on file by the project and available for OCJP or public scrutiny upon request. Violation of these provisions may result in withholding of grant funds by OCJP.

- B. The following apply to federally funded grants only:

Note: Effective Fiscal Year 1992-93, the Federal criteria and requirements apply to the "implementing agency" responsible for the day-today operation of the project (e.g., Probation Department, District Attorney, Sheriff).

1. Criteria for Federal EEO Program Requirements for Grants in the Amount of \$25,000-\$499,999. (Does not apply to community-based organizations).

Federal regulations require qualified recipient agencies of federal financial assistance to prepare an Equal Employment Opportunity Program (EEOP) upon meeting all of the following criteria:

- a. Grantee has 50 or more employees.
- b. Grantee has received a total of \$25,000 or more in grants or subgrants since 1968.
- c. Grantee has a service population of 3% minority representation (If less than 3% minority population, the EEOP must be prepared to focus on women).

The **EEOP** must be developed for the implementing agency responsible for the day-today operations of the program.

2. Assurance of EEOP for Federal Grants of \$25,000-\$499,999

This implementing agency has formulated, or will formulate, implement and maintain an EEOP within 60 calendar days of the date the Grant Award Face Sheet (OCJP A301) is signed by the Executive Director of OCJP. I also certify that the EEOP is/will be on file in the following Affirmative Action (A.A.) Office:

A.A. Officer: Ana Ventura Phares

Title: Affirmative Action Program Manager

Address: 701 Ocean Street, Room 3 10

Phone: 83 1.454.2600

The EEOP is available for review or audit by officials of **OCJP** or the Federal Government, as required by relevant laws and regulations.

Additionally, I agree to submit a copy of said EOP to OCJP (Attention: EEO Compliance Officer) within 60 calendar days of the Executive Director's signature on the OCJP A301.

3. Federal Grants of \$500,000 and Above

All applicants for federal grant funds of \$500,000 or more will submit a copy of their EEOP (developed for the implementing agency), or federal letter of compliance, to OCJP with the second stage application forms.

4. EEOP Updates for Continuing Federal Grants

Projects who have previously received a total of \$25,000 or more in federal grants, or a single award in the amount of \$500,000 or more, and have an approved EEOP on file with OCJP, are required to submit an annual update of their EEOP if funds are continued. The time frame for EEOP updates is the same as identified in Section I B, 2 and 3 above.

C. The following apply to **all** OCJP grantees:

1. In addition to this Certification, all OCJP grantees must have a current EEO Policy Statement, established by their agency, posted in a prominent place accessible to employees and applicants; and
2. The poster entitled "**Harassment or Discrimination in Employment is Prohibited by Law**" also must be posted in a conspicuous location accessible to employees and applicants. This poster may be obtained **from** the local office of the Department of Fair Employment and **Housing.**

II. CALIFORNIA DRUG-FREE WORKPLACE ACT OF 1990 AND FEDERAL DRUG-FREE WORKPLACE ACT OF 1988 REQUIREMENTS

The above-named organization(s) will comply with the California Drug-Free Workplace Act of 1990 of California Government Code Section 8355, et. seq., and the Federal Drug-Free Workplace Act of 1988, and implemented as 28 CFR, Part 67, Subpart F, for grantees, as defined in 28 CFR, Part 67, Sections 67.615 and 67.620 by:

- A. Publishing a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required in Government Code Section 8355(a).
- B. Establishing a Drug-Free Awareness Program as required by Government Code Section 83 55(b), to inform employees about all of the following:
 - 1. The dangers of drug abuse in the workplace;
 - 2. The organization's policy of maintaining a drug-free workplace;
 - 3. Any available counseling, rehabilitation and employee assistance programs;
 - 4. Penalties that may be imposed upon employees for drug abuse violations.
- C. Providing as required by Government Code Section 8355(c) that every employee who works on the proposed grant:
 - 1. Will receive a copy of the company's drug-free policy statement;
 - 2. Will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.
- D. **Notifying** the employee in the statement required that, as a condition of employment under the grant, the employee will:
 - 1 . Abide by the terms of the statement;
 - 2. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.
- E. Notifying the agency, in writing, within 10 calendar days after receiving notice as required above from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position, title to: Department of Justice, Office of Justice Programs, **ATTN:** Control Desk, 633 Indiana Avenue, N.W., Washington, DC 20531. Notice shall include the identification number(s) of each affected grant.

F. Taking one of the following actions, within 30 calendar days of receiving notice, with respect to any employee who is so convicted:

1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended;
2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate **agency**.

G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of the above requirements.

III. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The above-named **organization(s)/individual(s)** will comply with the **California** Environmental Quality Act (CEQA) requirements as stated in the Public Resources Code, Division 13, Section 21000 et. seq. and all other applicable rules and regulations.

All appropriate documentation will be maintained on file by the project and available for OCJP or public review upon request.

IV. LOBBYING

As required by Section 13 52, Title 3 1 of the U.S. Code, and implemented as 28 CFR, Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR, Part 69, the applicant certifies that:

- A. No federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.
- B. If any funds other than federal **appropriated** funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers [including subgrants, contracts under grants and cooperative agreements and subcontract(s)] and that all subrecipients shall certify and disclose accordingly.

**V. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS
(applies to federally funded grants only)**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR, Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR, Part 67, Section 67.5 10, the applicant certifies that it and its principals:

- A. Are not presently debarred, suspended, proposed for debarment, declared **ineligible**, sentenced to a denial of federal benefits by a state or federal Court, or voluntarily excluded from covered transactions by any federal department or agency.
- B. Have not, within a three-year period preceding this application, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
- C. Are not presently indicted for, or otherwise criminally, or civilly, charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated above.
- D. Have not, within a three-year period preceding this application, had one or more public transactions (federal, state, or local) terminated for cause or default.

Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

VI. OTHER OCJP CERTIFICATIONS AS APPLICABLE

Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the grantee may be ineligible for award of any future grants if the Office of Criminal Justice Planning (OCJP) determines that any of the following has occurred: (1) the grantee has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

CERTIFICATION	
I, the official named below, am the same individual authorized to sign the Grant Award Agreement [line 13 on Grant Award Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California	
Official's Signature:	<u>Ronald L. Ruiz</u>
Official's Typed Name:	<u>RONALD L. RUIZ</u>
Official's Title:	<u>DISTRICT ATTORNEY</u>
Date Executed:	_____
• Federal ID Number:	<u>16-573</u>
Executed in the County of	<u>SANTA CRUZ</u>

1. PROGRAM TITLE: ANTI-DRUG ABUSE ENFORCEMENT PROGRAM	2. PROJECT YEAR: 1999-2000																																			
3. AUTHORIZED PROGRAM PURPOSE AREA(s)	4. GRANT PERIOD: July 1, 1999 - June 30, 2000																																			
5. APPLICANT: Name: Santa Cruz County District Attorney's Office Phone: 83 1.454.2400 Address: '01 Ocean Street, Room 200 Santa Cruz, CA 95060 Fax: 83 1.454.2227	6. FUNDS REQUESTED \$259,476																																			
7. IMPLEMENTING AGENCY: Santa Cruz County District Attorney's Office Phone: 83 1.454.2400 FAX: 83 1.454.2227 '01 Ocean Street, Room 200 Santa Cruz, CA 95060 Z-mail address:																																				
8. TARGETED OFFENDER: MAJOR <input type="checkbox"/> MID-LEVEL <input checked="" type="checkbox"/> STREET-LEVEL <input checked="" type="checkbox"/> GANG-RELATED <input type="checkbox"/>																																				
9. AGE OF TARGET POPULATION: ALL: <input type="checkbox"/> 0-12: <input type="checkbox"/> 13-17: <input type="checkbox"/> 18-24: <input checked="" type="checkbox"/> 25 & OLDER: <input checked="" type="checkbox"/> (check all that apply)																																				
10. BUDGET DISTRIBUTION BY COMPONENT: LAW ENFORCEMENT: \$ _____ PROSECUTION: \$ _____ PROBATION: \$ _____ OTHER: \$ _____																																				
11. PROJECTED BUDGET	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:35%;"></th> <th style="width:15%;">Personnel Services</th> <th style="width:15%;">Operating Expenses</th> <th style="width:15%;">Equipment</th> <th style="width:20%;">TOTAL</th> </tr> </thead> <tbody> <tr> <td>Funds Requested</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Other Grant Funds</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Other Sources (List in-kind, fees, etc)</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>_____</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>_____</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>_____</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Personnel Services	Operating Expenses	Equipment	TOTAL	Funds Requested					Other Grant Funds					Other Sources (List in-kind, fees, etc)					_____					_____					_____				
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PROGRAM SUMMARY ABSTRACT - PAGE 2

2. PROBLEM STATEMENT

Santa Cruz County is beset with high levels of use and trafficking in the three most addictive controlled substances: heroin, cocaine and methamphetamine. Better organized illicit distribution of Mexican networks have led to dramatic declines in heroin prices in recent years, leading to greater accessibility and use, particularly among teenagers and young adults. Similar, though less dramatic, price declines for methamphetamine have propelled it to replace cocaine as the most widespread illicit stimulant drug.

At the heart of this greater availability are groups of distributors and dealers of varying levels of sophistication and organization. Judging from past observation of frequency of reoffending by convicted dealers, however, they share a common perception that the rewards of drug dealing substantially outweigh the risks. Attacking this core reality while maintaining arrest pressure through coordinated enforcement efforts provides the best opportunity to disrupt well established distribution channels, reducing accessibility and increasing price.

3. PROGRAM DESCRIPTION

The goal of the program is to reduce drug trafficking and use, and consequently drug-related crimes, by focusing or disrupting established distribution channels. Target offenders will be individuals involved in the distribution and sale of heroin, cocaine, and methamphetamine. These narcotics traffickers will be the primary focus of the participating law enforcement component, the multi-agency Santa Cruz County Narcotics Enforcement Team (SCCNET) and the Neighborhood Enforcement Team of the Santa Cruz Police Department (SCPDNET). Enforcement efforts of course will necessarily produce arrests of users for non-trafficking drug felonies and misdemeanors.

The prosecution will screen all arrests of the participating agencies (as well as reviewing arrests of non-participating agencies for intelligence/clearinghouse purposes) and retain for prosecution all project felony arrestees determined to be traffickers under one of the following criteria: current trafficking offense, prior trafficking, or reliable confidential intelligence.

Prosecution of identified target defendants will follow a vertical prosecution model, covering all appearances from arraignment through judgment and sentence. Prosecutors will maintain aggressive positions on all litigated issues and seek the highest sentences which can be reasonably justified under the pertinent sentencing laws and principles. Prosecutors will also provide ancillary assistance in the form of legal advice to other project components and will review all search warrant materials.

The program probation officer will be responsible for the intensive supervision of target offenders who are granted probation. This will include frequent urinalysis, office visits and home visits designed to detect evidence of recidivism, either by use or resumed trafficking. When information suggests that there may be new offenses, the probation officer will coordinate with law enforcement to conduct probation searches. Emphasis will be placed on imposing immediate consequences for even minor failures to comply with probation terms.

The success of the program will be assessed through the performance measures described below utilizing data to be reported as set forth on the proposed quarterly report forms. The initial year of the program will serve to establish baseline figures from which future specific numeric goals can be established.

4. Goals, Objectives, Activities, and Performance Measures (continued)

OVERALL GOAL: DURING THE GRANT YEAR, REDUCE THE ILLEGAL ACTIVITIES IN DRUG TRAFFICKING AND USE BY TARGETED OFFENDERS THROUGH LAW ENFORCEMENT, PROSECUTION AND PROBATION EFFORTS.

SPECIFIC GOALS:

GOAL: DISRUPT ESTABLISHED, CONVENIENT AND AGGRESSIVE LINES OF SUPPLY AND DISTRIBUTION THROUGH ARREST, PROSECUTION AND SENTENCING OF DEALERS AND DISTRIBUTORS.

OBJECTIVE: Reduce overall public street dealing of controlled substances and push dealers to more remote, inaccessible and inconvenient locations.

ACTIVITIES: Participating law enforcement, particularly the Santa Cruz Police Neighborhood Enforcement Team, will maintain patrol, and arrest pressure on traditional and evolving street dealing locales.

Output Measures: Number. of offenders arrested

Outcome Measure: Increase in the difficulty of obtaining drugs as measured by users' responses to questions regarding ease of acquisition.

Outcome Measure: Increase in price of drugs as measured by users' reports and intelligence information

OBJECTIVE: Reduce availability of alternative drug acquisition routes through investigation and arrest of pager/delivery dealers and dealers operating out of residences.

ACTIVITIES: Participating law enforcement, particularly SCCNET, will investigate and arrest more sophisticated dealers utilizing pager or cell phone order and delivery methods or dealing out of residences or transient occupancy locations.

Output Measure: Number of offenders arrested.

Outcome Measure: Increase in the difficulty of obtaining drugs as measured by users's responses to questions regarding ease of acquisition.

Outcome Measure: Increase in price of drugs as measured by users' reports and intelligence information

OBJECTIVE: Reduction in established distribution channels by detection and arrest of manufacturers, cultivators and wholesale distributors of drugs.

14. Goals, Objectives, Activities, and Performance Measures (continued)

ACTIVITIES: Working most frequently from the bottom up, law enforcement will attempt to identify higher level sources of drugs by the use of informants and other investigative methods. Efforts will be made to locate clandestine laboratories manufacturing methamphetamines, identify and arrest narcotics wholesalers in the ounces and pounds range, and to the extent there is an interface with primary target drugs, cultivators of marijuana. Weapons, cash proceeds and other illicitly acquired assets will be seized and forfeited.

Output Measure: Quantities of narcotics seized.

Output Measure: Number of clandestine laboratories dismantled.

Output Measure: Dollar amount of assets seized for forfeiture

Output Measure: Number of marijuana plants found and destroyed

Output Measure: Number of weapons seized

Outcome Measure: Increase in price of narcotics as measured by users' reports and intelligence information.

OBJECTIVE: Reduce number of persons willing and able to engage in narcotics dealing by prevention and deterrence through conviction of target offenders and the imposition of significant sentences.

ACTIVITIES: Arrestees will be vigorously prosecuted in a coordinated effort with law enforcement components including thorough follow-up investigation and trial preparation, in order to maximize the number of arrestees convicted.

Probation will recommend appropriately lengthy terms of incarceration and imprisonment for convicted dealers.

Output Measure: Number of arrestees convicted.

Output Measure: Number of defendants sentenced to prison

Output Measure: Number of defendants sentenced to incarceration of 6 months or longer

Outcome Measure: Disruption of regular distribution channels as measured by users' responses to questions about number of dealers utilized to obtain drugs.

14. Goals, Objectives, Activities, and Performance Measures (continued)

GOAL: ELIMINATE ESTABLISHED NARCOTICS SUPPLY LINES BY INCREASED DETECTION OF RECIDIVIST ACTIVITY.

OBJECTIVE: Detection of recidivism among convicted targeted offenders by intensive supervision.

ACTIVITIES: Probation will carefully monitor convicted offenders with a view to identifying signs of possible recidivism, including positive urinalysis or evasion of urinalysis, failure to report, and lack of employment. Information will be shared with law enforcement components who will coordinate with Probation in further investigations including conducting probation searches of suspected reoffenders.

Output Measure: Number of urinalyses of target offender probationers.

Output Measure: Number of probation searches of target offender probationers.

Output Measure: Number of arrests of target offenders for probation violations

Output Measure: Number of probation revocations initiated.

Outcome Measure: Disruption of regular distribution channels as measured by users responses to questions about number of dealers used to obtain drugs.

OBJECTIVE: Detection of recidivism through confidential informant intelligence

ACTIVITIES: Law enforcement components will maintain contact with confidential informants even after arrest of target offenders in order to secure intelligence of possible ongoing trafficking after defendant's pre-trial or post-sentence releases. Information suggesting continuing dealing will be pursued through exploitation of search terms in coordination with probation.

Output Measure: Number of arrests of previously charged/convicted target offenders for new violations.

Outcome Measure: Disruption of regular distribution channels as measured by users responses to questions about number of dealers used to obtain drugs.

OBJECTIVE: Detection of recidivism among non-project probationers.

ACTIVITIES: Law enforcement components will coordinate intelligence with other law enforcement

14. Goals, Objectives, Activities, and Performance Measures (continued)

agencies and probation regarding non-project narcotics probationers. Upon receipt of information suggesting a resumption of trafficking searches will be conducted utilizing probationary search terms.

Output Measure: Number of probation searches conducted.

Outcome Measure: Disruption of regular distribution channels as measured by users responses to questions about number of dealers used to obtain drugs.

GOAL: **DEGRADE REGULAR NARCOTIC DISTRIBUTION CHANNELS BY REDUCING THE FREQUENCY OF RECIDIVIST ACTIVITY BY DRUG DEALERS.**

OBJECTIVE: Increase offender awareness of severe consequences of repeat drug offenses.

ACTIVITIES: The prosecution unit will endeavor to have judges clearly admonish first offender defendants of mandatory and lengthy prison terms for reoffending drug dealers. Probation will reinforce this by securing defendants' signatures to a written admonishment.

Output Measure: Number of signed admonishment forms.

Outcome Measure: Reduction in number of reoffending target defendants as measured by number of defendants charged with prior conviction allegation.

OBJECTIVE: Reinforce anti-recidivist admonishments with significant sentences for first offenses.

ACTIVITIES: Prosecution and probation components will make coordinated **efforts** endeavoring to secure substantial sentences for first time offenders. Maximum legally sustainable sentences will be recommended and efforts will be made to maintain a minimum **sentence** of 180 days in custody for even the lowest level of first time trafficking offenses.

Output Measure: Number of trafficking offenders sentenced to 180 days or more in custody.

Outcome Measure: Reduction in number of reoffending target defendants as **measured** by number of defendants charged with **prior** conviction allegations.

14. Goals, Objectives, Activities, and Performance Measures (continued)

OBJECTIVE: Reinforce anti-recidivist admonishments with severe sentences for recidivist narcotic traffickers.

ACTIVITIES: Prosecution component will file all available special allegations for recidivist offenders. Probation and prosecution will seek maximum legally sustainable prison commitments for repeat drug trafficking offenders.

Output Measure: Special allegations filed

Output Measure: Special allegations sustained

Outcome Measure: Reduction in number of recidivist target defendants as measured by number of defendants charged with prior conviction allegations.

QUESTIONNAIRE

Refused

What drugs have you used in the last three months:

How much have you paid for the drugs? (Translate to grams: e.g., \$20 for ¼ = \$80/gram, \$100 for eight-ball = \$30/gram)

Heroin	_____	gm
Cocaine	_____	gm
Methamphetamine	_____	gm

On a scale of one to ten, with one being very easy and ten being very hard, how easy has it been for you to connect to score drugs in the last month?

Heroin	1	2	3	4	5	6	7	8	9	10
Cocaine	1	2	3	4	5	6	7	8	9	10
Methamphetamine	1	2	3	4	5	6	7	8	9	10

Have you gotten drugs form more than one supplier in the last month? If so, how many?

Have you had to go to more than one place or area to buy drugs in the past month? If so, how many?

**OFFICE OF CRIMINAL JUSTICE PLANNING
Santa Cruz County Anti-Drug Abuse Application**

PROJECT NARRATIVE

1. PROBLEM STATEMENT

a. The Jurisdiction

Santa Cruz County is one of the state's smallest counties geographically, with an area of 441 square miles. Its population of approximately 250,000 is concentrated in an urban corridor flanking the coast and along the San Lorenzo River and Highway 17 corridors. Much of the county's area is covered by rugged and relatively inaccessible mountain terrain. While it has a local economic base of agriculture and light industry, an ever increasing proportion of the economy is in the service sector driven by tourism on the one hand, and an increasing trend as a "bedroom community" for those **employed** in Santa Clara's "Silicon Valley."

b. Problems and Trends

Santa Cruz County has a lengthy history of problems associated with drug trafficking and use. A decade ago, a comprehensive survey found the county to have a higher per capita rate of heroin addiction than New York City, as well as a younger mean age of user. While there is not a similarly configured current study from which to make absolute comparisons, all observations suggest that the rate of use is likely higher today and the average age of user is substantially lower, with a striking increase among juveniles and adult teens.

The increase in heroin use can be **ti**ed to two related factors. Increases in supply through distribution organizations of Mexican nationals has led to a dramatic decrease in price. A decade ago, a gram of **heroin** would sell for **\$80-\$100**. Today, \$100 can purchase three grams. This price decrease of 2X-3 fold has not only made the drug more generally available, it has made the smoking of heroin--a relatively inefficient means of administration--economically feasible. Smoking heroin makes it much more attractive to youthful potential users. Smoking is easier; it is erroneously perceived as not carrying a risk of addiction; and it does not bear the fearful stigma of needles. Heroin has become cheaper per dose than marijuana and at \$6-\$7 per dosage unit, is less expensive than going to **a** movie.

Anti-Drug Abuse Enforcement Program Problem Statement

In the area of illicit stimulants, methamphetamine in recent years has taken over vast amounts of market share from cocaine. Again, economics has played a significant role with methamphetamine now available at a price per gram very similar to heroin. Cocaine has become relatively more expensive, which along with a shorter stimulant effect, has led to a decline in popularity. Crack cocaine use has become almost a niche drug with users tending to be older, having developed their usage patterns many years ago. **Non-**base cocaine tends to be used by relatively more affluent users. Like heroin, smoking methamphetamine has become much more common as a means of ingestion and has the additional advantage over cocaine of requiring no special preparation.

Trafficking has evolved over the years in response to pressures applied by law-enforcement efforts. Wide open street wmer dealing is virtually extinct. Recent enforcement efforts have similarly extinguished most of the dealing on the San Lorenzo River levees in the downtown area of Santa Cruz. Dealers now avail themselves of two primary distribution methods. "Street" dealers are no longer on the streets, but have now taken refuge in more remote, rural wooded areas where their customers must walk in from nearby roads. This change has resulted in a positive outcome for the previously impacted neighborhoods. It has also likely had a useful effect in decreasing the efficiency of the illicit marketplace, increasing the inconvenience to the regular user **and decreasing** the visibility and accessibility to the casual user.

But the change has also had the dealers' intended effect of making law enforcement efforts more difficult. Surveillance capacity is severely curtailed in the new locales and the staging of support personnel in **buy-**bust operations is more problematic. While undercover operations against street dealers would previously be conducted by way of "cold" visits to known trafficking locales, it is now often necessary to use **informants** to develop intelligence previously achieved via casual surveillance.

The other response to pressure on street dealing is the increasing use of pagers and cellular telephones to arrange drug deals. Some dealers run delivery operations, responding to prearranged meeting sites to consummate a deal. Others may deal out of motel rooms which they change frequently, using pagers or cell phones as the means to maintain contact with customers. Enforcement access to these dealers

Anti-Drug Abuse Enforcement Program Problem Statement

occasionally comes from citizen tips but, more frequently, requires apprehension of users who can be utilized as informants to penetrate these distribution rings.

These organizations, comprised almost exclusively at the mid-to-upper levels of Mexican nationals, are very **difficult** to infiltrate on an undercover basis. Investigation requires the much more laborious process of collecting intelligence from the periphery of these operations and developing circumstantial evidence of the conspiracy. Past and ongoing program efforts have yielded successful trafficking conspiracy prosecutions, but they are extremely time consuming and can only realistically be undertaken in the context of a limited caseload.

Recidivism among drug dealers is a surprisingly common phenomenon, given the virtual certainty of a lengthy prison sentence upon a second conviction. It reflects not only the extremely lucrative nature of dealing, but likely also a lack of awareness of consequences along with an apparent belief that the risk of re-arrest is low. If convicted dealers and their cohorts continue to deal unabated, it exacerbates difficulties in impacting rates of usage. Well established and entrenched distribution systems can deliver drugs more efficiently and cheaply. Similarly, users have ready access to known and reliable sources of drugs.

c. Target Area and Target Population

The target area is countywide. Trafficking occurs in virtually all areas of the county and is prone to re-locate quickly in response to law enforcement activities.

The target population includes narcotics dealers and distributors. Necessarily, enforcement against dealers will lead to arrests of simple users as well as the detection of collateral crimes. Also, from time to time, users may become interim targets as a means of developing informants, intelligence and evidence against dealers. For example, customers of a suspected dealer might initially be arrested to provide

Anti-Drug Abuse Enforcement Program Problem Statement

corroborating information needed to secure a search warrant. Similarly, following the arrest of a suspected dealer, the best evidence of the scope of this operation might result from monitoring a seized pager and arresting users who solicit the purchase of narcotics.

Arrests by project law enforcement will be screened by the prosecution unit (which will also review **non-project** arrests for purposes of serving a clearinghouse/intelligence function) which will retain project drug traffickers in a vertically prosecuted limited caseload, and redirect simple users to the appropriate general prosecution unit. A project arrestee will be classified as a trafficker for inclusion in the caseload upon meeting one of the following: a current trafficking offense; a prior trafficking conviction; or reliable confidential intelligence (e.g., an uncharged controlled buy; reliable confidential informant reports).

The caseload thus developed will be handled by project attorneys on a vertical prosecution basis. Prosecutors will appear at every stage of the criminal proceedings from arraignment through 'entry of judgment. All issues, from bail through pretrial, trial or case disposition, and sentencing will be litigated vigorously with a view to achieving the most serious, appropriate convictions and sentences justifiable and consistent with existing sentencing law and principles. Prosecutors will coordinate with probation officers in the preparation and litigation of probation **violation** cases.

In addition, project prosecutors will provide ancillary assistance to law enforcement and probation components by providing legal advice. Prosecutors will also review and redraft as necessary all project generated search warrants.

The project probation officer's caseload will be limited to target offenders. The officer will intensively supervise project probationers. Frequent and random urine tests will be conducted. Frequent home and office visits will be scheduled. Information concerning probationers' employment and participation in counseling **will** be verified. Any significant failure to comply will be reported to the prosecution component and the court. Any indication of significant non-compliance will also be communicated to the appropriate law enforcement component in order to conduct a probation search.

Anti-Drug Abuse Enforcement Program Problem Statement

The probation officer will assure by way of verbal and written admonishment acknowledged by the probationer that all target offenders are aware of the likely severe consequences of violating probation or reoffending. The probation officer will also submit sentencing recommendations to the court for target offenders. Consistent with the obligation to follow sentencing guidelines as set forth in the Rules of Court, the officer's recommendations will advance the project goals of isolating and punishing targeted offenders, discouraging recidivism and deterring others from engaging in drug dealing.

d. Goals, Objectives, Activities, Performance Measures and Prosecutions

In furtherance of the overall goal of decreasing the level of drug trafficking and use, a variety of specific goals have been selected. While there are individual goals, objectives, strategies and output measures, the desired outcomes tend to be parallel.

Goal: Disrupt established convenient and inexpensive lines of supply and distribution through arrest, prosecution and sentencing of dealers and distributors.

The first objective targets street dealers. Past enforcement efforts have successfully relocated drug dealing to increasingly inconvenient and less accessible locales. Law enforcement will aim to maintain arrest pressures so as to push dealers to even more remote locations and thus make the connection between drug dealer and user even more difficult to achieve.

These activities can be measured by the number of offenders arrested. The efficiency of the strategy 'should be reflected in a decrease in users reported ease of acquisition and an increase in reported drug prices.

The second objective under this goal targets the increasing market share serviced by pager/cell phone dealers, and seeks to reduce the availability of these alternative drug delivery routes. Law enforcement

Anti-Drug Abuse Enforcement Program Problem Statement

units will attempt to penetrate these operations using informants and information developed from “working” seized pagers and cell phones, posing as sellers. More sophisticated investigations may use court orders and warrants to retrieve subscriber information, phone calls and “pin” records, tracking telephone activity of suspected dealers, and developing intelligence on the nature and scope of drug dealing conspiracies. In this aspect, the prosecution component will participate in the preparation and review of search warrants and court orders.

The final objective under this goal involves coordinated efforts to secure the convictions of target offenders and to achieve sentences of sufficient length to prevent and deter ongoing trafficking activity. Arrestees will be prosecuted vigorously. Law enforcement will coordinate with the prosecution to conduct necessary follow-up investigations and to complete thorough trial preparation.

Probation will recommend appropriately lengthy terms of incarceration and imprisonment for convicted dealers. The prosecution will strongly advocate- for the longest justifiable jail terms and prison, and the most restrictive terms, of probation.

Performance with regard to this objective can be measured by number of convictions, number of prison commitments, and number of lengthy jail terms (six months or longer). The impact of these activities on the drug-using community should be to disrupt routine distribution channels, measurable by users' reports concerning the number of different dealers they have had to utilize to obtain drugs.

Apprehension of dealers at the retail level will provide a starting point toward a further objective of apprehending mid-level wholesalers and upper level distributors, manufacturers and **growers..** Efforts will be made to use certain retail dealers as confidential informants to identify higher level drug traffickers. In addition, higher level dealers may be detected by means of extended investigations, **surveilled "buy-walk"** undercover purchases, and collection of documentary and physical evidence leading back from retailers to wholesalers.

As these investigations reach higher levels for the imported drugs, heroin and cocaine, they will involve

Anti-Drug Abuse Enforcement Program Problem Statement

almost exclusively rings of Mexican nationals and inter-county activities requiring greater coordination with state and federal agencies. At the higher levels of domestically produced drugs, methamphetamine and marijuana, it is likely they will lead occasionally to the ultimate source, a clandestine laboratory or cultivation site.

At the wholesale level and above, it becomes much more likely that traffickers will be armed. There is also a far greater likelihood that significant cash proceeds and other illicitly obtained assets will be uncovered. Seizure and forfeiture of these items will be one of the priorities of the enforcement effort at this level.

Success in these endeavors can be measured by quantities of drugs, weapons, and assets made. Interception of large quantities of drugs at this level has the potential to disrupt the drug marketplace significantly enough to be manifest in an increase in the street price of the drug involved.

Goal: Target and Reduce Recidivism

Insofar as recidivism reflects business as usual within the drug trafficking circles, a two-pronged effort will be undertaken to reduce recidivism and disrupt business as usual.

The first sub-goal targets recidivist activities. The single best tool to utilize in pursuit of this goal is intensive probation supervision. A probation officer maintaining a "full court press" on a target probationer will be able to carefully monitor his activities. Any signs of renewed drug use or trafficking can be quickly identified, e.g., positive urinalysis or evasion of testing, failure to report, lack of gainful employment. This information will be shared with law enforcement which will coordinate with probation to execute probation searches against suspected reoffenders.

Performance measures for this objective will include number of urinalyses performed, number of probation searches conducted and the number of arrests of target-probationers for probation violations.

Anti-Drug Abuse Enforcement Program Problem Statement

Law enforcement will independently pursue target probationers through a strategy utilizing confidential informants. Efforts will be made to maintain contact with confidential informants even after the conclusion of a primary investigation and arrest. These informants will then be used as intelligence sources regarding ongoing activities upon their release from custody either on a pretrial bail status or post-judgment probationary status. Information suggesting recidivism will be responded to utilizing pre-trial release or probationary search terms.

As with the previous objective, productivity under this strategy can be assessed by numbers of probation searches and arrests of target probationers.

A large number of previously convicted traffickers will be outside the scope of the intensive supervision project caseload, either having suffered convictions pre-dating the project or resulting from non-project enforcement activities. These potential recidivists will not be ignored, but rather will be subject to scrutiny by the law enforcement component. It will seek out intelligence on this population from allied law enforcement agencies and conduct enforcement efforts against suspected renewed trafficking consistent with those leveled against project probationers.

The net effect of detecting and suppressing recidivist activities should manifest itself in the disruption of routinely used sources of supply by drug users. This will be measured by users' reports regarding ease of acquisition of drugs and number of dealers utilized.

The second sub-goal in the effort to combat recidivism is to impact the choice made by a convicted drug dealer as to whether to continue in criminal trafficking. Altering the dealer's perception of the risk/reward equation should affect the ultimate decision he makes.

One objective is to assure that all those convicted clearly appreciate the severe sanctions that are likely to be imposed for new violations. A combination of informal admonishments as part of the plea/sentencing process, reinforced by a formal written admonishment overseen by the probation officer should serve to clearly inform a first offender granted probation of the dramatically more severe

Anti-Drug Abuse Enforcement Program Problem Statement

consequences attending a second conviction. The existence of signed admonishment forms could have a secondary benefit of persuading a judge to impose longer sentences by reminding the judge that the defendant bears the full responsibility for his circumstance, having made a fully informed choice to reoffend. The number of signed admonishment forms can serve as an output measure.

The impact of these admonishments can be reinforced by achieving significant sentences for first offenders. While it is unrealistic to expect our local bench (with its reputation for leniency) to sentence any but the most aggravated first offenders to prison, a realistic objective is to seek to achieve minimum sentences of 180 days in custody for even low level drug traffickers.

The perceived risk/reward equation can be further impacted by securing maximum sentences for convicted repeat offenders, sending the message to others that the threat of significant consequences is not an idle one. The prosecution component will file and strive to sustain all available special allegations, while advocating sentences at the high end of the available sentencing range.

It is the aim, over time, to see the effect of these efforts to reduce recidivism in a decrease in the number of cases filed with prior conviction allegations.

County of Santa Cruz
FY 1999/2000 Anti-Drug Abuse Program
Budget Narrative

A specific explanatory narrative to support each requested line item is included in the application's budget pages as directed in the Programmatic Instructions.

The resources requested in this application will provide direct support to project operations during the FY 1999-2000 time period. The budget will directly support the objectives and activities discussed in this application by financing the program's staffing and operational costs. Administrative costs to the grant are negligible and the requested resources are overwhelmingly allocated to direct services.

Personal Services costs are allocated, entirely to the project's two prosecutors, investigator, and probation officer. This year's budget required considerable changes because the actual staffing costs are considerably greater than the amount of the funds appropriated for this grant year. Consequently, we have allocated 1.4 FTE attorney positions to the grant as opposed to the 2 positions in the past years. Additionally, we have had to allocate a .90 FTE inspector position to the grant instead of the full time inspector position previously allotted.

Irrespective of the reductions in staffing which we have made for budgetary purposes, we fully expect the workload to continue as it has been. In fact, the workload for these attorneys will increase due to the fact that in fiscal year 1999-2000 they will be jointly responsible for commencing and completing asset forfeiture proceedings related to assets seized under the grant activities. This additional assignment will integrate the functions of prosecution and asset forfeiture which we anticipate will lead to a more expeditious and efficient process of the asset forfeiture proceedings and thus, expectedly, a more timely and increased generation of revenue from these proceedings.

This coming fiscal year we plan to further integrate our drug prosecution program. Since one of the attorney positions for this grant is being reduced to half-time, and we have another half-time grant position pursuant to the Marijuana Suppression Program grant, we will be combining these two functions in the person of the same attorney. By this organizational move, we will consolidate

Anti-Drug Abuse Enforcement Program
Budget Narrative (continued)

the specialized prosecution of the various drug cases with the asset forfeiture proceedings in all of those cases.

While we believe this reorganization will increase the quality of our drug prosecution efforts, the budgeted attorney staff will not be able to carry the same caseload as in previous years. Consequently, the rest of the pertinent attorney staff will have to absorb the difference. We do expect that the inspector will work full time in this program even though he is budgeted at a .90 FTE position.

Mid-year salary adjustments are reflected in the proposed budget and are based on scheduled step increases and/or changes in county pay rates as agreed to by employee bargaining units and the County Board of Supervisors. The amount requested for the project prosecutors' State Bar dues is based on the latest available information related to proposed action by the Legislature on the State Bar funding bill. Operating expenses are limited to OCJP-mandated training/conference requirements, minimal overhead cost and the required audit.

BUDGET GATEGORY AND LINE-ITEM DETAIL

v. Personal services - Salaries/Employee Benefits (Include non-funded grant positions)

.50 FTE Assistant District Attorney

17 Pay periods @ \$41.09	\$55,882	
9 Pay periods @ \$42.67	\$30,722	
Administrative Leave: 80 hrs @ \$41.09	\$ 3,287	
On-call pay: \$1 .00 x 492 hrs	\$ 492	\$45,192
PERS Retirement @ 12.915%	\$11,673	
OASDI @ 7.65%	\$ 6,914	
Employee Insurance/Annual Rate per MOU	\$ 5,819	
State Bar dues	\$ 395	\$12,401
Total salary and benefits @ .50 FTE		\$57,593

.90 FTE Assistant District Attorney

17 Pay periods @ \$24.35	\$33,116	
9 Pay periods @ \$25.29	\$ 1 8 , 2 0 9	
Administrative pay: \$24.35 x 80 hrs	\$1,948	
On-call pay: \$1 .00 x 492 hrs	\$ 492	\$48,388
PERS Retirement @ 12.915%	\$6,944	
OASDI/Social Security @ 7.65%	\$4,113	
Employee Insurance/Annual Rate per MOU	\$3,524	
State Bar dues	\$ 395	\$13,487
Total salary and benefits at .90 FTE		\$61,867

BUDGET CATEGORY AND LINE-ITEM DETAIL

A. Personal services - Salaries/Employee Benefits (Include non-funded grant positions)
(Continued)

.90 FTE DA Inspector

18 Pay periods @ \$29.38	\$42,307	
8 Pay periods @ \$30.48	\$19,507	
POST differential pay: 2080 hrs @ \$1 .00	\$ 2,080	
Auto Allowance	\$ 3,040	\$60,241
PERS Retirement @ 20.77%	\$13,904	
Medicare @ 1.450%	\$ 971	
Employee Insurance/Annual rate per MOU	\$ 6,675	\$19,394
Total salary and benefits at .90 FTE		\$79,635

1.00 FTE Deputy Probation Officer

5 Pay periods @ \$19.37	\$ 7,748	
21 Pay periods @ \$19.96	\$ 33,533	\$41,281
PERS Retirement @ 11.425%	\$4,716	
OASDI @ 6.20%	\$2,559	
Medicare @ 1.450%	\$ 599	
Employee Insurance/Annual rate per MOU	\$4,445	\$12,319
Total salary and benefits @ 1.00 FTE		\$53,600

TOTAL		\$133,235
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BUDGET GATEGORY AND LINE-ITEM DETAIL		
3. Operating Expenses		
1. <u>Conference and Trainina Requirements</u>		
OCJP mandated ADA public safety conference for one Asst. District Attorney, one DA Inspector and one Deputy Probation Officer		
(A) Registration @ \$200 each for 3 staff	\$600	
(B) Lodging for 3 days @ \$11 O/day each for 3 staff	\$990	
(C) Flight costs @ \$105 for 3 staff	\$315	
(D) Per diem for 2.5 days @ \$46 x 3 staff	\$345	
		\$2,250
OCJP mandated regional two day training for one Assistant District Attorney, one DA inspector and one Deputy Probation Officer		
(A) Lodging for 2 days @ \$100 x 3 staff	\$600	
(B) Per diem for 2 days @ \$42/day x 3 staff	\$252	
		\$ 852
OCJP mandated one day ADA public safety meeting for one member of District Attorney's Steering Committee		
(A) Lodging for 1 day @ \$1 00/day	\$100	
(B) Per diem for 1 day @ \$42/day	\$ 42	\$ 142
Total conference and training		\$3,244
2. <u>Audit costs per the Countv Auditor-Controller</u>		\$1,500
Projects may charge indirect costs not to exceed 5% of the actual total direct project costs, excluding equipment.		
3. <u>Indirect Cost</u>		\$2,037
CATEGORY TOTAL		\$6,781

CJP-A303b
Office of Criminal Justice Planning
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BUDGET CATEGORY AND LINE ITEM DETAIL				
C. Equipment				COST
N/A				
CATEGORY TOTAL				\$0
PROJECT TOTAL				\$259,476
FUND DISTRIBUTION	FEDERAL	STATE	CASH MATCH	IN-KIND MATCH
. Amount of funds	-0-	\$259,476	-0-	-0-
%. Percentage of funds	-0-	100%	-0-	-0-

OCJP A303c
Office of Criminal Justice Planning
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ADDITIONAL SIGNATURE AUTHORIZATION

Grant Award #: DC 97080440

Applicant: Santa Cruz County District Attorney's Office

Project Title: Anti-Drug Abuse Enforcement Program

Grant Period: July 1, 1997 through June 30, 2000

The following persons are authorized to sign for:

Project Director

George Kovacevich Date: 5/10/99

Name



Signature

Name

Signature

Name

Signature

Name

Financial Officer



Name

Signature

Name

Signature

Name

Signature

Name

APPROVED BY:

Project Director: _____

_____ Date

Financial Officer: _____

_____ Date

Regional/Local
Planning Director: _____

_____ Date

ada\99-00

APPENDICES

Organizational Chart

Operational Agreement

SCCNET Council Meeting Minutes of 5/10/99

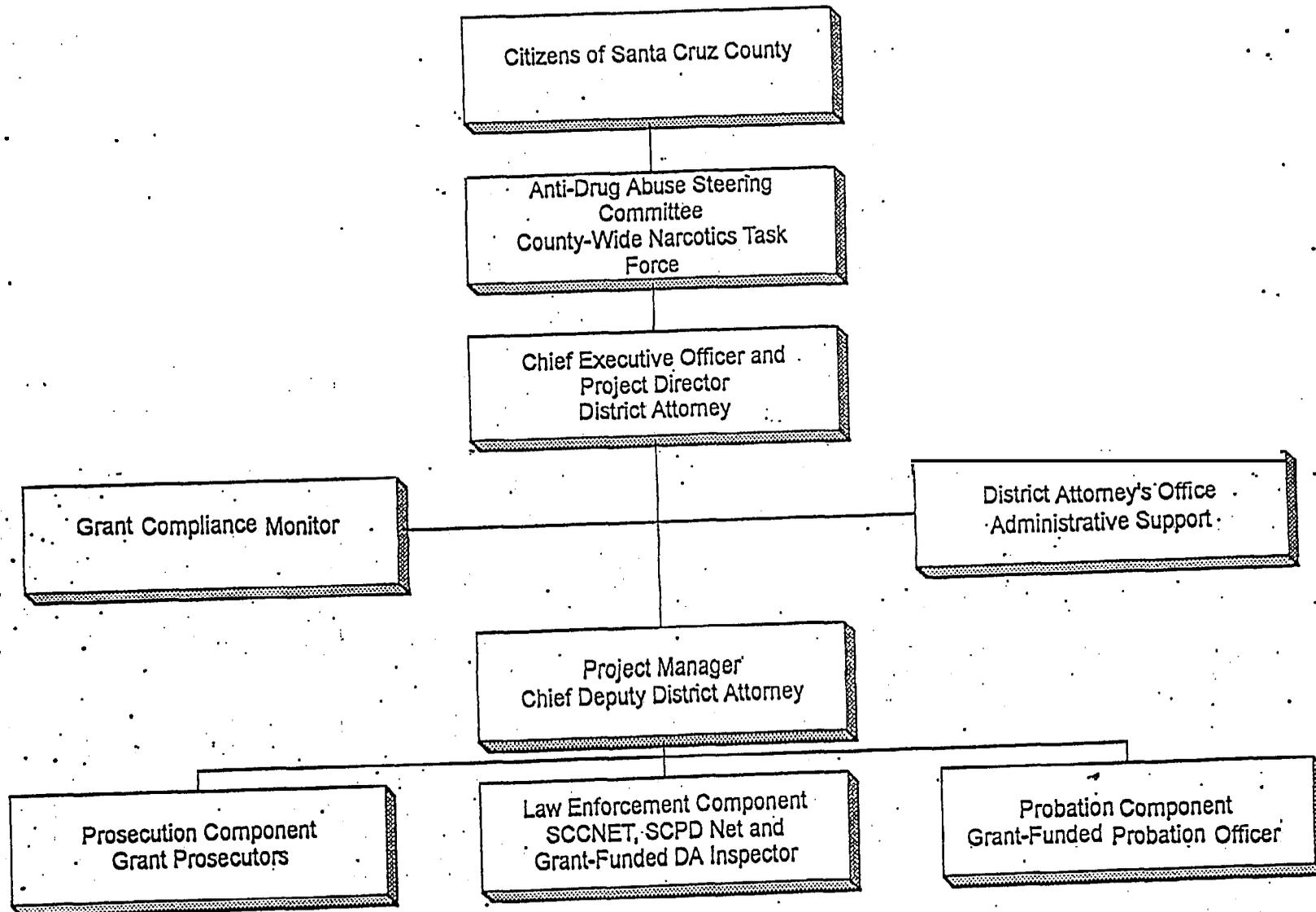
SCCNET Council Resolution

Disclosure of Lobbying Activities

Drug-free Workplace Statement

Santa Cruz County Anti-Drug Program

FY 1999 - 2000





County of Santa Cruz

DISTRICT ATTORNEY'S OFFICE

701 OCEAN STREET, SUITE 200, PO BOX 1159, SANTA CRUZ, CA 95060
(831) 454-2400 FAX: (831) 454-2227 E-MAIL: dat015@co.santa-cruz.ca.us

RONALD L. RUIZ
DISTRICT ATTORNEY

May 10, 1999

Office of Criminal Justice Planning
1130 K Street, Suite LL60
Sacramento, California 95814

Attention: Anti-Drug Abuse Enforcement Program

Immediately following this letter is a copy of our Anti-Drug Abuse Enforcement Program Operational Agreement. Because the agreement was not available to the ADA Steering Committee meeting today, the law enforcement chiefs signed a blank signature page so that original signatures could accompany the agreement in the grant package submitted herewith. We are in the process of obtaining original signatures on a formal signature page and will submit a complete agreement as soon as this is done.

We apologize for this omission and appreciate your patience.

Sincerely,

RONALD L. RUIZ
DISTRICT ATTORNEY

George J. Kovacevich
Chief Deputy District Attorney

□ WATSONVILLE OFFICE
PO BOX 228
FREEDOM, CA 95019

1430 FREEDOM BLVD.
WATSONVILLE, CA 95076
(831) 763-8120
(831) 763-8029 FAX

□ FAMILY SUPPORT DIVISION
PO BOX 1841
420 MAY AVENUE
SANTA CRUZ, CA 95061
(831) 454-3700
(831) 454-3752 FAX

□ PUBLIC ADMINISTRATOR
PO BOX 1159
420 MAY AVENUE
SANTA CRUZ, CA 95061
(831) 454-2442
(831) 454-3752 FAX

OPERATIONAL AGREEMENT

SANTA CRUZ COUNTY ANTI-DRUG ABUSE ENFORCEMENT PROGRAM

The Santa Cruz County District Attorney's Office has applied to the Office of Criminal Justice Planning (OCJP) for grant funding to support a project entitled "Anti-Drug Abuse Enforcement Program." This Operational Agreement, entered into in connection with that application, documents the intention of its signatories to cooperate towards the mutual goal of reducing the adverse impact and effects of illicit drug activities, including the economic incentive to traffic in illicit drugs, in Santa Cruz County.

The following agencies and individuals will support and/or participate in the execution of this program.

Mark Tracy
Sheriff-Coroner
Santa Cruz County

Ronald L. Ruiz
District Attorney
Santa Cruz County

John Rhoads
Chief Probation Officer
Santa Cruz County

Dan Bouchet, Acting Commander
Santa Cruz County Narcotics
Enforcement Team

Steven R. Belcher
Chief of Police
City of Santa Cruz

Donald Braunton
Chief of Police
City of Capitola

Terry Medina
Chief of Police
City of Watsonville

Stephen Walpole
Chief of Police
City of Scotts Valley

The activities specified in the attached grant application are hereby incorporated into this agreement, and are considered binding upon the signatories. The following is offered in summation.

The Santa Cruz County District Attorney's Office

This agency will be responsible for providing administrative support to the project. Specific duties include, but are not limited to, providing fiscal, budget, grant management, personnel, procurement and logistical support as required to advance the units objectives. The District Attorney's Office will have supervisory and management responsibility over the day-to-day operation of the program. It will assure compliance with all legal requirements and will be responsible for the achievement of the performance goals described in this application. Specific activities include, but are not limited to, reviewing, filing and prosecuting all narcotic criminal cases initiated by the project and reviewing, filing and prosecuting all asset forfeiture cases. In executing its responsibilities, the District Attorney's Office will, in appropriate cases, arrange for the cooperation of the U.S. Attorney's Office and/or other out-of-county local, state or federal agencies when needed to bring the cases to successful resolution. The District Attorney's Office will participate in the distribution of asset forfeiture proceeds generated by all project cases.

Project Personnel

1.5 Attorneys
1 Inspector

The Santa Cruz County Sheriffs Office

The Sheriffs Narcotics Enforcement Team ("NET") comprises a specialized narcotics enforcement team for the unincorporated county areas for this program's law enforcement component. The probation component of this program will be physically located in the offices of the Sheriffs NET. The Sheriffs NET will provide operational intelligence, case referrals, and technical support to the investigation and prosecution efforts undertaken in connection with this grant. The Sheriffs NET will provide operational support and tactical information to the Santa Cruz Narcotics Enforcement Team ("SCCNET") and the Santa Cruz Police Department's Neighborhood Enforcement Team ("NET") when project investigations are involved. The Sheriffs Office will assist in developing policy direction in the program through its participation and representation on the SCCNET Council, which will serve as the directing board of the program. The Sheriffs NET will help interpret the general policy objectives of the program as actual field activities are planned and executed. Finally, the Sheriffs Office will participate in the distribution of asset forfeiture proceeds generated by its project cases and those of SCCNET.

Operational Agreement
Santa Cruz County Anti-Drug Abuse Enforcement Program

The Santa Cruz County Probation Department

This organization is fully integrated into the program as a project component. The probation component's activities include, but are not limited to, identifying probation violators, devising search and arrest strategies for drug offenders on probation, assisting in the arrest of probation violators and facilitating searches for and seizure of forfeitable assets from probationers. The project probation officer will also actively maintain an intensive supervision caseload to achieve the performance goals described in this application. The Probation Department will participate in the distribution of asset forfeiture proceeds generated only by its project cases.

Project Personnel

1 Deputy Probation Officer

The Santa Cruz County Narcotics Enforcement Team (SCCNET)

SCCNET comprises the multi-agency, countywide narcotics task force for this program's law enforcement component. The SCCNET Council governs this specialized narcotics task force, thereby influencing general and specific policies of the program. SCCNET's staff will provide operational intelligence, case referrals and technical support to the investigation and prosecution efforts undertaken in connection with this grant. SCCNET will provide operational and tactical information for SCSO NET and SCPD SET when project investigations are involved. In addition, SCCNET will help interpret the general policy objectives of the program as actual field activities are planned and executed. Finally, SCCNET will participate in the distribution of asset forfeiture proceeds generated only by its project cases.

The Watsonville Police Department

This organization will assist in developing policy direction in the program through its participation and representation on the SCCNET Council, which will serve as the directing board of the program. In addition, the Watsonville Police Department will provide operational support and, in appropriate cases, will provide tactical information and assistance to the program staff. Finally, the Watsonville Police Department will participate in the distribution of asset forfeiture proceeds generated only by SCCNET cases.

The Santa Cruz Police Department

The Santa Cruz Police Department's Neighborhood Enforcement Team ("NET") comprises a specialized street team for narcotics enforcement for the City of Santa Cruz for this program's law enforcement component and will provide operational intelligence, case referrals and technical support to the investigation and prosecution efforts undertaken in connection with this grant. The **SCPD's** NET will provide operational support and tactical information for SCCNET and the Sheriffs NET when project investigations are involved. The SCPD will assist in developing policy direction in the program through its participation and representation on the SCCNET Council, which will serve as the directing board of the program. The SCPD NET will help interpret the general policy objectives of the program as actual field activities are planned and executed. Finally, the SCPD will participate in the distribution of asset forfeiture proceeds generated by its project cases and those of SCCNET.

The Capitola Police Department

This organization will assist in developing policy direction in the program through its participation and representation on the SCCNET Council, which will serve as the directing board of the program. In addition, the **Capitola** Police Department will provide operational support and, in appropriate cases, will provide tactical information and assistance to the program staff. Finally, the **Capitola** Police Department will participate in the distribution of asset forfeiture proceeds generated only by SCCNET cases.

The Scotts Valley Police Department

This organization will assist in developing policy direction in the program through its participation and representation on the SCCNET Council, which will serve as the directing board of the program. In addition, the **Scotts Valley** Police Department will provide operational support and, in appropriate cases, will provide tactical information and assistance to the program staff. Finally, the **Scotts Valley** Police Department will participate in the distribution of asset forfeiture proceeds generated only by SCCNET cases.

John P Rhoads

Steven R. Beletter

Tommy G. Medina

Stef D. Wojcik

Ronald L. Quin

Donald E. Roemer

Paul H. Borchert

Mark L. Ray



SCCNET
SANTA CRUZ COUNTY NARCOTIC ENFORCEMENT TEAM

P.O. Box 859 . Soquel. CA 95073-0859 . (831) 454-2320

SCCNET COUNCIL

Capitola P.D.
Santa Cruz Co. D.A.O.
Santa Cruz Co. Sheriff's Office
Santa Cruz P.D.
Scotts Valley P.D.
Watsonville P.D.
California State Parks
California B.N.E.

SCCNET COUNCIL MEETING
May 10, 1999

Present:

Sheriff Mark Tracy, Santa Cruz Sheriffs Office
District Attorney Ron Rulz, Santa Cruz Co. District Attorney's Office
Chief Don Braunton, Capitola Police Department
Chief Steve Belcher, Santa Cruz Police Department
Chief Stephen Walpole, Scotts Valley Police Department
Chief Terry Medina, Watsonville Police Department
Chief Deputy District Attorney George J. Kovacevich, SCDAO
Acting Commander Dan Bouchet, SCCNET
Div. Director Judy Cox (for Chief Rhodes), Santa Cruz Probation

The meeting was brought to order by Sheriff Tracy.

I. APPROVAL OF ADA GRANT

Sheriff Tracy brought to discussion the renewal of the Anti-Drug Abuse Enforcement grant. George J. Kovacevich, from the District Attorney's Office, was introduced and discussed the renewal of the Anti-Drug Abuse Enforcement grant, 1999-2000 funding allocation. Mr. Kovacevich outlined the program and its components, including changes in the budget due to a decrease in grant funds, inclusion of overhead charges as required by the county, and operating expenses which otherwise exceed the amount of the grant. After a general discussion regarding the grant, a motion was made by Chief Braunton; seconded by Chief Medina. Sheriff Tracy asks if all in favor; all were in favor to ratify the grant. The motion was carried unanimously by the council members in attendance.

Respectfully Submitted,

Melissa Hunt
SCCNET Council Secretary

(Renewal of Anti-Drug Abuse grant portion only)
Partial Meeting Minutes
Sevrino's - Special Meeting called on ADA Grant

**Resolution of the Council of the
Santa Cruz County Narcotic Enforcement Team
Approving the FY 1999-2000 Anti-Drug Abuse Grant
Strategy and Application**

The Governing Council of the Santa Cruz County Narcotic Enforcement Team (hereinafter referred to as SCCNET) does hereby agree to approve the following strategy for the District Attorney's FY 1999-2000 **Anti-Drug Abuse** grant application to the California Office of Criminal Justice Planning.

- A. Law Enforcement Component. The program will continue to employ the Special Enforcement Operations - Multi-Jurisdictional Task Force Strategy with SCCNET targeting high level (major), mid-level and street level adult felony drug dealers throughout the county, while the Santa Cruz Police Department Neighborhood Enforcement Team (SCPD NET) targets street level adult felony drug dealers within that city's jurisdiction, Both of these task forces will target clandestine (methamphetamine) laboratories within their respective jurisdictional areas. SCCNET will assist the program's probation officer in administering the intensive supervision caseload. A District Attorney Inspector will be assigned to SCCNET full-time to enhance SCCNET's agent staff and act as liaison between SCCNET and the SCPD NET.
- B. Probation Component. The program will continue to employ the Intensive Supervision Strategy with one full-time probation officer. That individual will select identified adult felony probationers who are drug offenders placed on probation from program prosecutions or who are otherwise identified by the program's law enforcement personnel as still being heavily involved in drug offenses. These selected probationers will then be subject to the program's Intensive Supervision Levels I and II as administered by the program's probation officer. SCCNET and SCPD NET will, when necessary, assist the program's probation officer in carrying out these duties.
- C. Prosecution Component. The program will continue to employ the Special Assignments Strategy with two full-time prosecutors who will use vertical prosecution techniques in handling all program adult felony drug cases and probation revocations, as well as related asset forfeiture, nuisance abatement, and money laundering actions. The program's prosecutors will also provide legal advice to officers in the program's law enforcement component and will review all SCCNET and SCPD NET felony drug arrests and search warrants. The program's prosecutors will also coordinate probation revocations with the program's probation officer.

APPROVED BY A VOTE OF 8 to 0

Attest: Mark Tracy

Date: May 10, 1999

Name: Mark Tracy

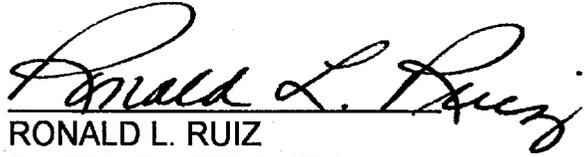
Title: Sherriff - Council / Chair

DISCLOSURE OF LOBBYING ACTIVITIES

As per Section 1352, Title 31 of the U.S. Code and implemented as 28 CFR, Part 69 as defined at 28 CFR, Part 69, the following disclosure is provided for all activities pertaining to the Santa Cruz County District Attorney's Anti-Drug Abuse Enforcement Program.

No federally appropriated funds have been paid or will be paid by or on behalf of the undersigned to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress or an employee of a member of Congress, in connection with the making of any Federal grant, the entering into of any cooperative agreement and the extension, continuation, renewal, amendment or modification of any Federal grant or cooperative agreement.

Dated: 5/10/99


RONALD L. RUIZ
DISTRICT ATTORNEY
COUNTY OF SANTA CRUZ

lobbyact.ada

DRUG-FREE WORKPLACE STATEMENT

In order to maintain funding eligibility, state agencies in receipt of grant and contractual awards must certify that they provide drug-free workplaces and have issued drug-free workplace statements to their employees (Section 8355(a) of the Government Code).

Therefore, in accordance with Senate Bill 1120, (Chapter 1170, Statutes of 1990), which established the Drug-Free Workplace Act of 1990, I am initiating this statement of compliance.

The Santa Cruz County District Attorney's Office, as an agency within the State of California, has adopted this statement in compliance with legislation which addresses issues to avoid the dangers arising from drug and alcohol abuse in the workplace. These dangers include death and injury to the employee, co-workers or the public, resulting from accidents, dereliction of duty, poor judgement and carelessness. Substance abuse also results in lost productivity, reduced efficiency and increased absenteeism by the substance abuser and interferes with the job performance of employees who do not use illegal or unauthorized substances (Section 8355(a)).

Employees convicted of a violation of a criminal drug statute when the violation occurred at an employee's worksite shall report the conviction to the granting and monitoring state agency upon conviction (Section 8356(a)(1)(2)).

In the event of the unlawful manufacture, distribution, dispensation, possession or illegal use of a controlled substance at a state worksite, the state may take disciplinary action pursuant to the law and/or require the satisfactory completion of a drug abuse assistance or rehabilitation program (Section 8355(b)(4)).

The Employee Assistance Program (EAP) provides drug problem assessment and referral to appropriate counseling and rehabilitation services. The EAP is available to agency employees. Procedures exist to ensure the confidentiality of all EAP records. You may contact Chief Deputy District Attorney' George J. Kovacevich for further information or assistance.

It is my intent as department head to ensure by the execution of this statement of compliance that each employee abides by the terms of this Drug-Free Workplace Statement (Section. 8355(c)).

Dated: 5/10/99


RONALD L. RUIZ
DISTRICT ATTORNEY