



County of Santa Cruz

DISTRICT ATTORNEY'S OFFICE

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

KATHRYN CANLIS
 DISTRICT ATTORNEY

June 7, 2002

BOARD AGENDA: June 25, 2002

Members of the Board of Supervisors
 Governmental Center
 701 Ocean Street, Room 500
 Santa Cruz, California 95060

RE: 2002-03 VIOLENCE AGAINST WOMEN VERTICAL PROSECUTION GRANT

Dear Members of the Board:

We are currently in the process of re-applying to the Office of Criminal Justice Planning (OCJP) for fiscal year 2002-2003 funding for our Violence Against Women Vertical Prosecution (VAWA) Program. As part of the re-application process, we are requesting your Board to adopt a Resolution ratifying our grant application and sign the attached Certification of Assurance of Compliance.

The District Attorney's Office has received grant awards totaling \$556,150 over the past three year grant cycle and is eligible to receive \$103,812 from OCJP to administer the VAWA Program during fiscal year 2002-2003. We are required to provide a 25% match of funding in the amount of \$34,604. This grant award will fund a .75 FTE Assistant District Attorney and a .4 FTE Inspector position to investigate and vertically prosecute violent offenses against women in our community. Our grant application budget also includes a line-item for reimbursement of related indirect costs.

A copy of our grant application will be placed on file for your review with the Clerk of the Board. We will continue to notify your Board of any changes to the fiscal year 2002-2003 VAWA grant application in accordance with applicable County procedures.

Members of the Board of Supervisors
June 6, 2002
Page 2


THEREFORE, IT IS RECOMMENDED THAT YOUR BOARD adopt a Resolution authorizing the District Attorney to reapply to the Office of Criminal Justice Planning for fiscal year 2002-2003 Violence Against Women Vertical Prosecution funding and sign the Certification of Assurance of Compliance.

Sincerely,



KATHRYN CANLIS
DISTRICT ATTORNEY

RECOMMENDED:



SUSANA MAURIELLO
COUNTY ADMINISTRATIVE OFFICER

Attachments

vawaltr&res bos

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

0101

RESOLUTION NO.

On the motion of Supervisor
duly seconded by Supervisor
the following resolution is adopted

RESOLUTION RATIFYING THE DISTRICT ATTORNEY'S APPLICATION FOR FUNDS DURING GRANT YEAR
JULY 1, 2002 - JUNE 30, 2003 FOR A VIOLENCE AGAINST WOMEN VERTICAL PROSECUTION PROGRAM
ADMINISTERED BY THE OFFICE OF CRIMINAL JUSTICE PLANNING

~~WHEREAS~~ the Board of Supervisors of Santa Cruz County desires to undertake a certain
project designated the Violence Against Women Vertical Prosecution Program, to be
funded in part from funds made available through the Violence Against Women Vertical
Prosecution Program administered by the Office of Criminal Justice Planning (hereafter
referred to as OCJP).

NOW, THEREFORE, THE BOARD OF SUPERVISORS RESOLVES AND ORDERS that the District
Attorney of the County of Santa Cruz is authorized, on its behalf to submit an
application for state funds for a Violence Against Women Vertical Prosecution Program
to the Office of Criminal Justice Planning and is authorized to execute on behalf of
the Board of Supervisors of Santa Cruz County the attached Grant Award Agreement,
including any extensions or amendments thereof.

BE IT RESOLVED that grant funds received hereunder shall not be used to supplant
expenditures controlled by this body;

BE IT FURTHER RESOLVED that applicant agrees to provide all matching funds
required for said project (including any amendments thereof) under the program and
the funding terms and conditions of OCJP, and that the cash match will be appropriated
as required.

IT IS AGREED that any liability arising out of the performance of this Grant
Award Agreement, including civil court actions for damages, shall be the
responsibility of the grant recipient and the authorizing agency. The State of
California and OCJP disclaim responsibility for any such liability.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State
of California, this _____ day of _____ 2002, by the following vote:

VOTE:

AYES:

NOES:

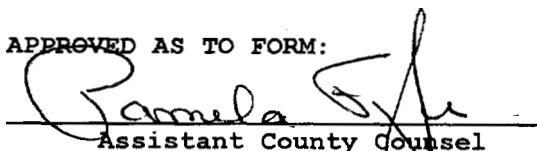
ABSENT:

ABSTAIN:

JAN BEAUTZ
CHAIRPERSON OF THE BOARD

ATTEST: _____
Clerk of Said Board

APPROVED AS TO FORM:



Assistant County Counsel

DISTRIBUTION: District Attorney
County Counsel
Auditor, C.A.O.

0102

CERTIFICATION OF ASSURANCE OF COMPLIANCE

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

I, KATHRYN CANLIS, 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: VIOLENCE AGAINST WOMEN VERTICAL PROSECUTION 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. Proof of Authority from City Council/Governing Board

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 35.
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 (EEO) 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 EEO must be prepared to focus on women).

The EEO 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: Ajita Patel

Title: Equal Employment Opportunity Officer

Address: 701 Ocean Street, Room 310

Phone: 831.454.2600

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 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.

11. 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 8355(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, and 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; or
 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 1352, Title 31 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 **67.510**, 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. PROOF OF AUTHORITY FROM CITY COUNCIL/GOVERNING BOARD

The above named organization accepts responsibility for and will comply with the requirement to obtain written authorization from the city council/governing board in support of this program. The Applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of **OCJP**, and that any cash match will be appropriated **as** required. It is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and OCJP disclaim responsibility of any such liability. Be it further resolved that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

The Applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The Applicant is also required to maintain said written authorization on file and readily available upon demand.

All appropriate documentation must be maintained **on** file by the project and available for OCJP or public scrutiny upon request. 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: _____

Kathryn Canlis

Official's Typed Name: KATHRYN CANLIS

Official's Title: DISTRICT ATTORNEY

Date Executed: June 25, 2002

Federal ID Number: 946000534

Executed in the County of SANTA CRUZ

City/County/CBO Financial

Officer's or City Manager's Signature: _____

Janet K. Beutz, Chairperson, Board of Supervisors

City/County/CBO Financial

Officer's or City Manager's Typed Name: _____

City/County/CBO Financial

Officer's or City Manager's Title: _____

OFFICE OF CRIMINAL JUSTICE PLANNING (OCJP A301)
GRANT AWARD FACE SHEET

0109

The Office of Criminal Justice Planning, hereafter designated OCJP, hereby makes a grant award of funds to the following Administrative Agency (1) COUNTY OF SANTA CRUZ
hereafter designated Grantee, in the amount and for the purpose and duration set forth in this grant award.

(2) Implementing Agency Name SANTA CRUZ COUNTY DISTRICT ATTORNEY
Contact KATHRYN CANLIS Address 701 Ocean Street, Room 200, Santa Cruz, CA 95060
Telephone (831) 454-2400

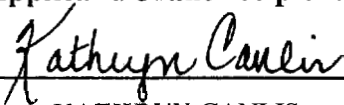
(3) Project Title (60 characters maximum) VIOLENCE AGAINST WOMEN VERTICAL PROSECUTION	(6) Award No.
(4) Project Director (Name, Title, Address, Telephone) (four lines maximum) KATHRYN CANLIS, DISTRICT ATTORNEY 701 OCEAN STREET, ROOM 200 SANTA CRUZ, CALIFORNIA 95060 (831) 454-2400	(7) Grant Period July 1, 2002 - June 30, 2003
	(8) Federal Amount \$103,812
	(9) State Amount -0-
(5) Financial Officer (Name, title, Address, Telephone) (four lines maximum) ERIC SEIB 701 OCEAN STREET, ROOM 200 SANTA CRUZ, CALIFORNIA 95060 (831) 454-2400	(10) Cash Match \$34,604
	(11) In-kind Match -0-
	(12) Total Project Cost \$138,416

This grant award consists of this title page, the proposal for the grant which is attached and made a part hereof, and the Assurance of Compliance forms which are being submitted. I hereby certify that: (1) I am vested with authority to, and have the approval of the City/County Financial Officer, City Manager, or governing Board Chair, enter into this grant award agreement; and (2) all funds received pursuant to this agreement will be spent exclusively on the purposes specified. The grant recipient signifies acceptance of this grant award and agrees to administer the grant project in accordance with the statute(s), the Program Guidelines, the OCJP Grantee Handbook, and the OCJP audit requirements, as stated in this Request for Application (RFA). The grant recipient further agrees to all legal conditions and terms incorporated by reference in this RFA.

FOR OCJP USE ONLY

Item:
Chapter:
PCA No:
Components No.:
Project No:
Amount:
Split Fund:
Split Encumber:
Year:
Fed Cat. #.:
Match Requirement:
Fund:
Program:
Region:

(13) Official Authorized to Sign for
Applicant/Grant recipient


Name: KATHRYN CANLIS
Title: DISTRICT ATTORNEY
Address: 701 Ocean Street, Room 200
Santa Cruz, CA 95060
Telephone: (831) 454-2400
Date: June 13, 2002

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purposes of this expenditure stated above.

Fiscal Officer, OCJP Date

Executive Officer, OCJP 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. STATE ASSEMBLY DISTRICT(S): Enter the number(s) of the State Assembly District(s) which the project serves. Put an asterisk for the district where the principal office of the project is located.

27th*

4. STATE SENATE DISTRICT(S): Enter the number(s) of the State Senate District(s) which the project serves. Put an asterisk for the district where the principal office of the project is located.

15th District*

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

255,602

PROGRAM CONTACT INFORMATION

0111

Applicant: COUNTY OF SANTA CRUZ
Implementing Agency (if applicable): DISTRICT ATTORNEY'S OFFICE
Project Title: VIOLENCE AGAINST WOMEN PROGRAM
Grant Number (to be added by OCJP): _____

Provide the name, title address and telephone number for the project contact persons named below. **If a section does not apply to your project, either "N/A."**

1. The person having day-to-day responsibility for the project:

Name: Jeffrey Rosell
Title: Assistant District Attorney
Address: 701 Ocean Street, Room 200
Santa Cruz, California 95060
Telephone Number: (831) 454-2400 Fax Number: (831) 454-2227
E-mail Address: dao@co.santa-cruz.ca.us

2. The person to whom the person listed in #1 is accountable.

Name: Gary D. Brayton
Title: Assistant District Attorney
Address: 701 Ocean Street, Room 200
Santa Cruz, California 95060
Telephone Number : (831) 454-2400 Fax Number: (831) 454-2227
E-mail Address: dao@co.santa-cruz.ca.us

3. The executive director of a nonprofit organization or the chief executive officer (e.g., chief of police, superintendent of schools) of the implementing agency:

Name: Kathryn Canlis
Title: District Attorney
Address: 701 Ocean Street, Room 200
Santa Cruz, California 95060
Telephone Number: (831) 454-2400 Fax Number: (831) 454-2227
E-mail Address: dao@co.santa-cruz.ca.us

4. The chair of the governing body of the implementing agency: (Provide address and telephone number other than that of the implementing agency.)

Name: Janet K. Beautz
Title: Chairperson, Santa Cruz County Board of Supervisors
Address: 701 Ocean Street, Room 500
Santa Cruz, California 95060
Telephone Number: (831) 454-2200 Fax Number: (831) 454-3262
E-mail Address:

5. The person responsible for the project from the applicant agency, if different than # 1:

Name: Same as #2
Title:
Address:
Telephone Number: Fax Number:
E-mail Address:

CERTIFICATION OF ASSURANCE OF COMPLIANCE

0112

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

I, KATHRYN CANLIS, 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: VIOLENCE AGAINST WOMEN VERTICAL PROSECUTION 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. Proof of Authority from City Council/Governing Board

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**.

0113

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 12131-12134and U.S. Department of Justice implementing regulations, 28 CFR, Part 35.
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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*.

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

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- 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-to-day operations of the program.

0114

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: Aijta Patel

Title: Equal Employment Opportunity Officer

Address: 701 Ocean Street, Room 310

Phone: 831.454.2600

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 B, 2 and 3 above.

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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** 01 15

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:

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- B. Establishing a Drug-Free Awareness Program **as** required by Government Code Section 8355(b), to inform employees about all of the following:
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- 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, and 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: 0116
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; or
 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 1352, Title 31 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 67.510, 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. PROOF OF AUTHORITY FROM CITY COUNCIL/GOVERNING BOARD

The above named organization accepts responsibility for and will comply with the requirement to obtain written authorization from the city council/governing board in support of this program. The Applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of *OCJP*, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and *OCJP* disclaim responsibility of any such liability, Be it further resolved that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

The Applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The Applicant is also required to maintain said written authorization on file and readily available upon demand.

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All appropriate documentation must be maintained **on** file by the project and available for OCJP **or** public scrutiny upon request. 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: _____

Kathryn Canlis

Official's Typed Name: KATHRYN CANLIS

Official's Title: DISTRICT ATTORNEY

Date Executed: June 25, 2002

Federal ID Number: 946000534

Executed in the County of SANTA CRUZ

City/County/CBO Financial
Officer's or City Manager's Signature: _____

Janet K. Beautz, Chairperson, Board of Supervisors

City/County/CBO Financial
Officer's or City Manager's **Typed** Name: _____

City/County/CBO Financial
Officer's or City Manager's Title: _____

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MANDATORY OBJECTIVE A:

Increase prosecution of violent crimes against women as measured **by** the total number of defendants anticipated (or projected) to **be** prosecuted **by** the project.

Activities	Projected Number
1. Prefiling consultation and advise	<u>25</u>
2. Filing review and decision	<u>75</u>
3. Filed and retained cases	<u>30</u>
4. Arraignment, preliminary hearing and other pretrial matters	<u>30</u>
5. Trial of case	<u>6</u>
6. Post conviction proceedings	<u>30</u>
7. Victim assistance services	<u>70</u>

NARRATIVE

A certain number of cases call for prefiling consultation and advice to law enforcement agencies. Included in this activity is the review and preparation of search warrants. Each case referred by an appropriate agency for filing is reviewed and a decision made. At that time the decision is to file, not file, or conduct further investigation. It is very conceivable that at this stage, the project prosecutor and investigator from the particular law enforcement agency or the District Attorney's investigator would meet and interview the victim and possibly other critical witnesses. In select cases, filing of a criminal action is handled through Grand Jury proceedings. When a case is filed, a decision is made by the project attorney whether or not to retain the case under the grant. With respect to the cases retained, the project attorney makes all pretrial court appearances and conducts pretrial preparation. These include arraignment, bail motions, preliminary hearings, discovery and other pretrial matters. Cases which are not settled for trial are then tried by the project attorney. Thereafter, the project attorney handles all post conviction proceedings at the trial level. From the inception of the process through its completion, the project attorney works closely with Victim Assistance Services. In addition to these prosecutorial functions and judicial proceedings, the project attorney remains actively involved in coordinating efforts and training with other agencies involved in the prosecution of violent crimes against women.

COPY**MANDATORY OBJECTIVE B:**

Achieve vertical prosecution standards as measured by the number of VAW-VP cases to be prosecuted in each of the following categories: True Vertical Prosecution, Major Stage Vertical Prosecution and Unit Vertical Prosecution.

Activities	Projected Number
1. True vertical prosecution	<u>28</u>
2. Major stage vertical prosecution	<u>1</u>
3. Unit vertical prosecution	<u>1</u>

NARRATIVE

VAW-VP will achieve 100% vertical prosecution of VAW-VP cases in the following fashion:

True vertical prosecution	94%
Major stages of vertical prosecution	3%
Unit vertical prosecution	3%

VAW-VP fully expects to achieve 100% true vertical prosecution, however, the unforeseen can occur and, if it does, it will be limited to 6%. VAW-VP will be overseen by the sexual assault team supervisor and the District Attorney and reviewed by the grant compliance monitor to assure that 100% of the VAW-VP cases are vertically prosecuted. The District Attorney has adopted an office policy requiring that VAW-VP cases be vertically prosecuted. A computer generated monthly case management report is created for VAW-VP cases so that the vertical prosecution objective can be reviewed monthly. In the project's first year, VAW-VP did reach 100% vertical prosecution. In the event true vertical prosecution cannot be achieved due to an unforeseen occurrence, the case will be assigned within the Special Operations Unit. At that time, all attempts will be made to have the project prosecutor handle all major stages of the prosecution and, absent the ability to do so, the case will assuredly be prosecuted according to unit vertical prosecution.

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MANDATORY OBJECTIVE C:

Reduce specialized caseloads as measured by the average reduced caseload excluding warrant cases for VAW-VP prosecutors and investigators compared to non-project prosecutors and investigators. The Office of Criminal Justice Planning requires that VAW-VP caseloads be reduced by a minimum of 1/3 of a non-vertical felony caseload in the local prosecutor's office.

Activities	Projected Number
1. Filing review and decision	<u>75</u>
2. Cases not filed	<u>25</u>
3. Cases filed	<u>50</u>
4. VAWA grant retained cases	<u>30</u>

NARRATIVE

The project attorney will carry an average caseload of 12 cases in comparison to the average non-vertical felony caseload of 67 cases in the Santa Cruz County District Attorney's Office. This is significantly greater than the OCJP required 1/3 reduction. The caseload in VAW-VP will not grow beyond what the prosecutor can handle vertically nor the required 1/3 reduction. Non-grant senior prosecutors are available who can capably handle cases not retained under the grant. The caseload is reviewed by the Special Operations Unit supervisor, and the grant compliance monitor. In addition, the monthly case report is created for VAW-VP cases so that the reduced caseload objective can be reviewed every month. The district attorney has adopted an office policy which requires the VAW-VP caseload to be reduced by at least the minimum of 1/3 of a non-vertical felony caseload in the office.

BUDGET NARRATIVE

The resources requested in this application, along with the required "cash match," will provide direct support to project operations during the fiscal year 2002-2003. The budget will directly support the objectives and activities discussed in the project narrative by financing the program's staffing and operational costs.

The majority of grant funds are allocated to the .75 project prosecutor's and the .40 project investigator's salary and benefits. Victim Advocate services will be provided under the Operational Agreement included in this packet. The cash match is comprised of direct personnel, audit, training, internet and other computer services costs, as well as the cost of needed services and supplies. Administrative costs to the grant include indirect costs as allowed.

The experience and background of the project staff far exceeds OCJP's requirements for this program. The project prosecutor and investigator work jointly throughout the grant period. Each will continue to attend specialized training as a requirement of the grant.

The grant functions will be given priority over non-grant assignments. Anticipated salary adjustments during the fiscal year have been factored into the budget figures.

BUDGET CATEGORY AND LINE-ITEM DETAIL				
A. Personal services - Salaries/Employee Benefits	temized Federal	Grant	Match	Total
<u>.75 FTE Assistant District Attornev - J. Rosell</u>				
Annual salary of \$109,192	81,894			
Annual OASDI of \$6,847	5,135			
Annual employee insurance of \$4,625	3,469			
		76,626	13,872	90,498
<u>.40 FTE DA Inspector II - D. Campos</u>				
Annual salary of \$60,630	24,252			
Annual POST differential @ \$1.10/hr - \$2,288	915			
Annual bilingual differential @ \$.70/hr - \$1,456	582			
Annual PERS retirement of \$2,116	846			
Annual OASDI of \$879	352			
Annual employee insurance of \$3,822	1,529			
		22,243	6,233	28,476
TOTAL EMPLOYEE SALARIES & BENEFITS	\$118,974	\$98,868	\$20,105	\$118,974

OCJP-A303a

Office of Criminal Justice Planning

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BUDGET CATEGORY AND LINE-ITEM DETAIL

B. Operating Expenses	Federal	Grant	Match	Total
Audit costs	650		650	650
<u>Conference and training requirements</u> OCJP mandated Victim Services Conference DA attorney & DA investigator				
Registration: \$200 x 2	400			
Lodging: 2 days @ \$85/day x 2	340			
Mileage	256			
Per diem: \$40 x 2 days x 2	240			
Additional Violence Against Women Training Seminar				
Registration @ \$200 each	400			
Lodging for 3 days @ \$85/day	510			
Per diem @ \$40/day	320			
Airfare	230			
			2,696	2,696
<u>Indirect Costs:</u> Projects may charge indirect costs not to exceed 5% of the actual total direct project costs, excluding equipment		4,943		4,943
<u>Computer Connection and Maintenance</u>			9,100	9,100
<u>internet Access</u> \$18 per month			648	648
<u>Services and Supplies</u>			1,405	1,405
TOTAL OPERATING EXPENSE	\$3,346	\$4,943	\$14,499	\$19,442

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BUDGET CATEGORY AND LINE ITEM DETAIL

C. Equipment			Itemized Federal	Grant	Match	cost
No equipment ordered			\$0	\$0	\$0	\$0
CATEGORY TOTAL						\$0
PROJECT TOTAL						\$138.416
FUND DISTRIBUTION	FEDERAL	STATE	CASH MATCH		IN-KIND MATCH	
1. Amount of funds	\$103,812		\$34,604		-0-	
2. Percentage of funds						

VIOLENCE AGAINST WOMEN VERTICAL PROSECUTION PROGRAM (VAW-VP)
OPERATIONAL AGREEMENT SUMMARY FORM

<u>Agency/Organization/Individual</u>	<u>Effective Date</u>
District Attorney's Office and Santa Cruz Police Department	October, 1997
District Attorney's Office and Sheriffs Office	October, 1997
District Attorney's Office and Scotts Valley Police Department	October, 1997
District Attorney's Office and Capitola Police Department	October, 1997
District Attorney's Office and Watsonville Police Department	October, 1997
District Attorney's Office and Victim/Witness Assistance Program	October, 1997
District Attorney's Office and Santa Cruz County Human Resources Agency Adult Protective Services (APS)	October, 1997
District Attorney's Office and Women's Crisis Support	October, 1997
District Attorney's Office and Defensa de Mujeres	October, 1997
District Attorney's Office and Santa Cruz County Health Services Agency	October, 1997
District Attorney's Office and Sexual Assault Response Team/ Sexual Assault Nurse Examiners	October, 1997

**Santa Cruz County District Attorney's Office and Victim/Witness Assistance Center
Operational Agreement
FY 2002-2003**

This Operational Agreement stands as evidence that the Santa Cruz County District Attorney's Office and the Victim/Witness Assistance Center intend to work toward the mutual goal of providing the maximum available assistance for women who are victims of violent crime in Santa Cruz County. Both agencies believe that the implementation of this Operational Agreement will further this goal. Therefore, each agency agrees to participate by coordinating services to crime victims and their families.

The Victim/Witness Assistance Center will closely coordinate the following services with the District Attorney's Office on all cases involving violent crime including driving under the influence with injury or death to a person other than the driver, vehicular manslaughter and hit and run with injury or death.

- ▶ Training assistant district attorneys in victims' rights and resources.
- ▶ Provision of sensitive direct services to violent crime victims and their families all services mandated by Penal Code Section 13835.5, including criminal justice advocacy, court support and accompaniment, resource and referral counseling, criminal case information and crisis intervention.
- ▶ Cooperation with the exchange of information, including referrals of copies of crime reports.
- ▶ Assistance with claims for reimbursement of crime related expenses from the Victims Compensation Program.
- ▶ Employer Notification upon request of the victim.
- Cross-training as needed.
- ▶ Exchange of information, client referral, and case follow-up for the Sexual Assault Response Team.

These services shall be monitored by on-going case management and staff supervision, client follow-up and inter-agency training and meetings necessary to maintain sensitive and quality service to the crime victims of Santa Cruz County.

We, the undersigned, as authorized representatives of the Santa Cruz County District Attorney's Office and the Victim/Witness Assistance Center, do hereby approve this document.

Sylvia L. Nieto 6/13/02
Signature Date

Kathryn Canlis
Signature Date

Sylvia L. Nieto, Program Manager

Type Name and Title

Victim/Witness Assistance Center

Kathryn Canlis, District Attorney

Type Name and Title

Santa Cruz County District Attorney's Office

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