

# County of Santa Clara Office of the District Attorney

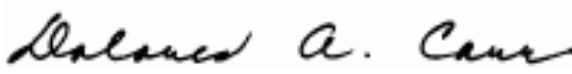


DA02 011309

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Reviewed by: Rolanda Pierre-Dixon  
Assistant DA

DATE: January 13, 2009

TO: Board of Supervisors

FROM:   
Dolores A. Carr  
District Attorney

SUBJECT: FY 2009 Anti-Drug Abuse Enforcement Program

## **RECOMMENDED ACTION**

Consider recommendations relating to the Anti-Drug Abuse (ADA) Enforcement Program.

Possible action:

- a. Adopt Resolution delegating authority to the District Attorney, or designee, to execute the Standard Grant Award Agreement with the Governor's Office of Emergency Services (OES) for the FY 2009 ADA Enforcement Program in an amount not to exceed \$410,181, including any documents necessary to extend or amend the grant award agreement that have no fiscal implications, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on December 31, 2009. (Roll Call Vote)
- b. Approve Request for Appropriation Modification No. 100 - \$152,973 decreasing revenue and expenditures within the District Attorney's budget. (Roll Call Vote)

## **FISCAL IMPLICATIONS**

There is no negative impact on the General Fund. OES has notified the District Attorney's Office that \$410,181 in funding is available for FY 2009. This amount is a decrease in both revenue and expenditures of \$152,973 from the prior year grant award amount. There is no County match requirement for this grant.

## **REASONS FOR RECOMMENDATION**

OES, as grantor, requires the Board of Supervisors of a county receiving a grant to authorize an official within the agency receiving the grant to execute the Grant Award Agreement, including extensions or amendments, and assure compliance with the terms of the grant. OES also requires the Board of Supervisors, as part of this resolution, to agree that the County will assume any liability arising out of the performance of this Grant Award. These funds cannot be used to supplant County resources.

This action is being brought forward after the start of the award period because OES has just released the formal grants award for FY 2009. Grant awards such as this are commonly received after the start of the award period.

## **BACKGROUND**

The Public Safety Branch of OES makes funds available through the ADA Enforcement Program for use in local anti-drug programs. The District Attorney's Office has received funds for the ADA program since 1990.

The ADA Grant Steering Committee, which is comprised of representatives from local law enforcement agencies, has met and determined that because of the high incidence of methamphetamine cases countywide, emphasis should continue to be placed on methamphetamine suppression, as well as drug-related violence suppression.

Statistics reveal that methamphetamine is the number one drug problem in Santa Clara County. Methamphetamine has surpassed cocaine, heroin, and PCP as the drug of choice in all age groups. The Crime Laboratory reports that over half of the number of substances submitted for controlled substance testing contained methamphetamine. The connection between drug use and violent crime has also been well documented.

ADA funding supports two Deputy District Attorneys and two Deputy Probation Officers as well as equipment and supplies for the San Jose Police Department's METRO Unit and the Santa Clara County Specialized Enforcement Team (SCCSET). The grant funded Probation Officers share information on probationers and participate in sweeps with law enforcement in those neighborhoods targeted due to high incidence of drug-dealing and drug use.

## **CONSEQUENCES OF NEGATIVE ACTION**

The District Attorney's Office will not be able to leverage State funds to aggressively prosecute drug-related crimes.

## **STEPS FOLLOWING APPROVAL**

Upon execution of the Grant Award Agreements, the Department will forward a copy of each of the fully approved Grant Award Agreements to the Clerk of the Board's Record Department, along with a copy of the original delegation of authority transmittal.

Upon Board approval, the Clerk of the Board shall notify George Doorley that the transmittal and supporting documents have been processed.

## **ATTACHMENTS**

- Appropriation Modification
- Resolution