



OFFICE OF THE DISTRICT ATTORNEY

COUNTY OF VENTURA, STATE OF CALIFORNIA

ERIK NASARENKO

District Attorney

October 17, 2023

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Subject: Ratification of the District Attorney's Office's Application to the California Board of State and Community Corrections (BSCC) Organized Retail Theft Vertical Prosecution Grant Program; Adoption of a Resolution Approving the District Attorney's Office's Acceptance of Grant Funds from BSCC in the Amount of \$2,047,631, Effective October 1, 2023, through June 1, 2027, and Authorizing Execution of the BSCC Grant Agreement; and Adoption of a Resolution Establishing Fixed-term Positions for the Period of October 17, 2023 through June 1, 2027, and Authorize the Necessary Accounting Adjustments.

(Recommendation No. 5 Requires 4/5ths Vote)

Recommendations:

It is recommended that your Board:

1. Ratify the District Attorney's Office's Application to the State of California Board of State and Community Corrections (BSCC) for the Organized Retail Theft Vertical Prosecution Grant Program (Exhibit 1)
2. Authorize the District Attorney's Office's acceptance of Grant Funds from BSCC in the Amount of \$2,047,631, Effective October 1, 2023, through June 1, 2027 (Exhibit 2)

3. Adopt a resolution authorizing execution of the BSCC grant agreement by the District Attorney or His Designee (Resolution 1)
4. Adopt a resolution establishing one fixed-term Senior Attorney position and one fixed-term District Attorney Investigator III position in unit #2103 Criminal Prosecution for the term of October 17, 2023, through June 1, 2027 (Resolution 2)

Job Code	Description	Business Unit	Dept. (Unit)	FTE	Fixed Term End Date	Annual Range
01568	Senior Attorney	DAOVC	2103	1.0	6/1/27	\$138,678.71 to \$198,483.45
00447	District Attorney Investigator III	DAOVC	2103	1.0	6/1/27	\$114,552.49 to \$160,599.02

5. Authorize the Auditor-Controller to process the necessary accounting adjustments for the following appropriations and revenue (4/5ths vote required):

Criminal Prosecution, Unit 2100-2103

INCREASE Intergovernmental Revenue	\$2,047,631
INCREASE Salaries & Benefits	\$1,574,303
INCREASE Services & Supplies	\$ 419,183
INCREASE Fixed Assets-Equipment 4601	\$ 54,145

Fiscal/Mandates Impact:

Mandatory:	No
Source of Funding:	California Board of State and Community Corrections
Funding Match Required:	\$0
Impact on Other Departments:	None

Summary of Revenue and Total Costs:

	FY 2023/24	FY 2024/25 (Estimated)
Revenue:	\$472,530	\$1,575,101
Costs:		
Direct:	\$472,530	\$1,575,101
Indirect:	\$ 0	\$ 0
Total Costs:	\$472,530	\$1,575,101
Net County Cost Including Indirect:	\$ 0	\$ 0

Current FY Budget Projection:

Current FY 2023/2024 Budget for DAO/2103:

	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Deficit/(Savings)
Appropriations	\$50,697,950	\$51,788,716	\$51,788,716	\$0
Revenue	\$10,269,303	\$10,269,303	\$10,269,303	\$0
Net Cost	\$40,428,647	\$41,519,413	\$41,519,413	\$0

Reason For Ratification:

We were unable to obtain your Board's approval of the District Attorney's Office's application to the BSCC for the Organized Retail Theft Vertical Prosecution Grant Program due to short application timelines and the lengthy approval process. The application was submitted prior to the deadline and is attached as Exhibit 1. The grant agreement is attached as Exhibit 2.

Discussion:

In recent years in Ventura County, as throughout California, organized retail theft (ORT) property crimes have been a growing problem for retailers, consumers, and law enforcement. Ventura County retailers are frequent targets of ORT crews traveling into the county and have suffered substantial losses due to the high value

of goods sold at the Camarillo Premium Outlets, The Oaks Mall in Thousand Oaks, The Collection Mall in Oxnard, and several box store retailers across the county. ORT losses in each Ventura County city exceed six figures, and local chambers of commerce report substantial ORT losses for large retailers countywide.

In the past year, the District Attorney's Office has filed 209 felony ORT cases. This substantial ORT workload equals the caseload of three prosecutors and utilizes significant local law enforcement resources to complete follow-up investigation on ORT cases. Recognizing the expansion of ORT crimes statewide, the BSCC implemented the Organized Retail Theft Vertical Prosecution Grant Program, providing much-needed financial assistance to select District Attorney's Offices to allow a prosecutor and an investigator to focus exclusively on the most serious ORT cases. The Ventura County District Attorney's Office was one of the successful applicants to the program and the BSCC is offering our office a grant award in the amount of \$2,047,631, effective October 1, 2023, through June 1, 2027. No funding match is required.

The BSCC grant funds will enable the District Attorney's Office to create a specialized and experienced team to address the most serious ORT crimes. The grant will dedicate a Senior Deputy District Attorney and a veteran District Attorney Investigator to the exclusive prosecution and investigation of ORT crimes in Ventura County. The grant funds will also permit the District Attorney's Office to acquire specialized equipment to enhance our investigative capability and prosecutorial effectiveness in the courtroom. The grant will also fund critical research and data analysis to more accurately measure the scope of the ORT problem and the effectiveness of the grant program.

We request that your Board ratify the District Attorney's Office's application to the BSCC; adopt the attached resolution authorizing acceptance of the grant funds and execution of the grant agreement; adopt the attached resolution authorizing the requested fixed-term positions; and authorize the Auditor-Controller's Office to make the necessary accounting adjustments.

This item has been reviewed by the County Executive Office, Auditor-Controller's Office, and County Counsel. If you have questions regarding this item, please contact Paul Nuñez, Chief Deputy District Attorney, at 654-2548.

Board of Supervisors
County of Ventura
October 17, 2023
Page 5

Sincerely,

ERIK NASARENKO
District Attorney

EN/ch



Attachments:

Resolution 1 – Authorizing Execution of the BSCC Grant Agreement
Resolution 2 – Establishing 2 Fixed Term Positions in DAO
Exhibit 1 – Grant Application
Exhibit 2 – Grant Agreement

cc: Sevet Johnson, PsyD., County Executive Officer
Jeffery S. Burgh, Auditor-Controller