



**MICHAEL N. FEUER**  
CITY ATTORNEY

To: The Honorable Eric Garcetti  
Mayor of Los Angeles  
City Hall  
Los Angeles, CA 90012  
Attention: Heleen Ramirez

Honorable City Council  
City of Los Angeles  
City Hall  
Los Angeles, CA 90012  
Attention: Patrice Lattimore

From: Janette Flintoft, Grants Director

Date: August 17, 2021

Re: FY 2021-22 California Office of Traffic Safety Grant Award  
Council File Number 20-1138

Transmitted herewith for Mayor and City Council consideration is grant funding totaling \$980,000 awarded by the Office of Traffic Safety, which is the pass through agency for the National Institute of Traffic and Highway Safety Agency. Now in its ninth year, this award will provide reimbursable funding for the salaries and fringe benefits for four Deputy City Attorney positions from October 1, 2021 through September 30, 2022. Together, this team will aggressively prosecute driving under the influence offenders (both alcohol and drugs) within the City of Los Angeles as part of the "Alcohol and Drug Impaired Driving Vertical Prosecution Program."

Impaired driving is a significant public safety issue. During the first three quarters of the FY 2020-21 grant period (10/01/2020 – 6/30/2021), the Los Angeles City Attorney's Office reviewed 4,671 driving under the influence cases, of which 1,133 cases reviewed involved driving under the influence of drugs. The Los Angeles City Attorney's Office filed 3,276 under the influence of alcohol cases and 599 driving under the influence of drugs cases.

It is anticipated that grant funding will continue beyond FY 2021-22 as a result of grantee performance and the ongoing need for resources in this area.



**City of Los Angeles**  
Grant Award Notification and Acceptance

Recipient Department			
This Grant Award is:	<input checked="" type="checkbox"/> New	<input type="checkbox"/> Continuation/Renewal	<input type="checkbox"/> Supplemental
			<input type="checkbox"/> Suballocation
Grants Coordinator:	Vanessa Chavez	E-Mail: <a href="mailto:vanessa.chavez@lacity.org">vanessa.chavez@lacity.org</a>	Phone: 213-978-2449
Project Manager:	Vanessa Chavez	E-Mail: <a href="mailto:vanessa.chavez@lacity.org">vanessa.chavez@lacity.org</a>	Phone: 213-978-2449
Department/Bureau/Agency:	City Attorney		Date: 08/23/2021

Grant Information			
Name of Grantor:		Pass Through Agency:	
CA Transportation Agency			
Grant Program Title:		Notification of Award Date:	
California Office of Traffic Safety (OTS): General Grants - FY 2022		07/29/2021	
Funding Source (Public / Private):	Grant Type:	Funds Disbursement:	Agency's Grant ID:
State	Competitive/Discretionary	Reimbursement	CFDA#: 20-1138
			Other ID#:
			eCivis ID#:
Match Requirement:	None	Amount:	\$0.00
Match Type:	N/A	Identify Source of Match:	%Match 0
Fiscal Information:	Awarded Funds:	Match/In-Kind Funds:	Additional/Leverage Funds:
	\$912,050.00	\$0.00	Total Project Budget:
			\$912,050.00

Approved Grant Budget Summary				
Category	Awarded	Match	Additional	Explanation
Personnel				
New Subcategory				
SALARY	\$563,223.00	\$0.00		FT SALARY FOR 5 STAFF
FRINGE	\$245,453.00	\$0.00		FRINGE BENEFITS FOR 5 STAFF
Travel				
TRAVEL	\$8,031.00	\$0.00		TRAVEL FOR 5 STAFF
Other				
INDIRECT COST	\$95,343.00	\$0.00		16.94% OF INDIRECT COSTS AWARDED
Total	\$912,050.00	\$0.00		

Approved Project	
Descriptive Title of Funded Project:	DUID FY 2021-2022
Performance Period Start/End Dates (Month/Day/Year):	Citywide: yes
Start: 10/01/2021	End: 09/30/2022
	Affected Council District(s): all
	Affected Congressional District(s): all
Purpose:	
Identify Internal Partners (City Dept/Bureau/Agency): LAPD	
Identify External Partners: CHP, LA District Attorney	

Summary
Please provide a project summary including goals, objectives (metrics), specific outcomes, and briefly describe the activities that will be used to achieve these goals. You may attach an additional sheet of paper if necessary.
The purpose of this program is to reduce traffic deaths, injuries, and economic losses. Projects should contribute to the funding agency's goal of preventing serious injury and death resulting from motor vehicle crashes so that all roadway users arrive safely at their destinations. Ultimately, the funding agency strives to eliminate all traffic fatalities by the year 2030.

**Recommendations**

Please provide a complete list of necessary actions for implementation, including acceptance of the award by the City, Controller instructions for fund and accounts set-up, coordination of project activities (such as contract and position authorities).

Authorize the City Attorney or his designee to APPROVE the accompanying grant award between the City and the Office of Traffic Safety and authorize the City Attorney or his designee to EXECUTE said grant award on behalf of the City, subject to the approval of the City Attorney as to form and legality. 2. Authorize the City Attorney or his designee to ACCEPT the grant award in the amount of \$912,050 for funding the Alcohol and Drug Impaired Driving Prosecution Program for the period of October 1, 2021 through September 30, 2022. 3. AUTHORIZE the Controller to: a. ESTABLISH a receivable in the amount of \$912,050 within Fund 368, Department 12. b. ESTABLISH Appropriation Account 12V231 - Impaired Driving Prosecution within Fund 368, Department 12 in the amount of \$912,050. c. TRANSFER \$398,884 from Fund 368, Department 12, Account 12V231-Impaired Driving Prosecution to Fund 100, Department 12, Account 001010 Salaries General. d. Upon receipt of grant funds, TRANSFER up to \$340,796 from Fund 368, Department 12, Account 12V231 - Impaired Driving Prosecution to Fund 100, Department 12, to Account Revenue Source No. 5346 Related Costs Reimbursement – Grants. 5. AUTHORIZE the City Council to Instruct the City Clerk to place on Council Calendar for July 1, 2022, the following action relative to the Alcohol and Drug Impaired Driver Vertical Prosecution Program: "That the City Council, subject to the approval of the Mayor, AUTHORIZE the Controller to transfer \$164,339 from Fund 368, Department 12, Account No. 12V231 - Impaired Driving Prosecution to Fund 100, Department 12, Account 001010 Salaries General." 6. AUTHORIZE the Office of the City Attorney to prepare Controller's instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer.

**Fiscal Impact Statement**

Please describe how the acceptance of this grant will impact the General Fund. Provide details on any additional funding that may be required to implement the project/program funded by this grant.

The total project cost is \$912,117, of which \$912,050 will be reimbursed by the grant. The general fund contribution is \$67 for indirect costs (Department Administration) not reimbursed from the grant. These costs are associated with existing staff positions and are included in the adopted Citys FY 21-22 budget.

**Acceptance Packet**

The above named Department has received an award for the Grant Program identified above, accepts full responsibility for the coordination and management of all Grant funds awarded to the City, and will adhere to any policies, procedures and compliance requirements set forth by the Grantor and its related agencies or agents, as well as those of the City, and its financial and administrative departments. The following items comprise the Acceptance Packet and are attached for review by the CAO Grants Oversight Unit:

- Grant Award Notification and Acceptance  Copy of Award Notice
- Grant Project Cost Breakdown (Excel Document)  Copy of Grant Agreement (if applicable)
- Detail of Positions and Salary Costs (Excel Document)  Additional Documents (if applicable)

Department Head Name: Jacinto Flores      Department Head Signature: [Signature]      Date: 8/6/22

**For CAO Use Only**

The Office of the City Administrative Officer, Grants Oversight Unit has reviewed the information as requested, and has determined that the Acceptance Packet is:

- Complete The Acceptance Packet has been forwarded to appropriate CAO analyst
- Returned to Department (Additional information/documentation has been requested.)
- Flagged (See comments below.)

Comments:

CAO Grants Oversight Unit Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Grant Award Notification and Acceptance  
Grant Project Cost Breakdown**

Grant Name: Alcohol and Drug Impaired Driving Vertical Prosecution Grant Project Breakdown	Grant Funds			Additional Costs**		Department:	
	Grant Funds	City Funds	Non-City Funds	City Funds	Non-City Funds	Total	Comments
<b>Salaries</b>							
1010 Salaries General	563,223					563,223	
1020 Salaries Grant Reimbursed						-	
1070 Salaries As Needed						-	
1090 Overtime						-	
<b>Salaries Total:</b>	563,223					563,223	
<b>Related Costs*</b>							
Fringe Benefits		245,453				245,453	
Indirects		95,343	67			95,410	
<b>Related Costs Total:</b>		340,796	67			340,863	
<b>Expense</b>							
2120 Printing & Binding							
2130 Travel	8,031					8,031.00	
3040 Contractual Services							
3310 Transportation							
4160 Governmental Meetings							
6010 Office Supplies							
6020 Operating Supplies							
7300 Equipment							
Other							
<b>Expenses Total:</b>	8,031					8,031	Annual state conference
<b>Grand Total:</b>	912,050		67			912,117	
*Please use the full Cost Allocation Plan (CAP) rates unless disallowed by the Grantor. CAP rates should be applied to Gross Salaries (including Compensated Time Off.)							
**Other sources of funding. Please indicate whether these funds are part of a match requirement and whether they are already provided or new funding is required.							

**Grant Award Notification and Acceptance  
Grant Project Cost Breakdown**

Grant Name: Alcohol and Drug Impaired Driving Vertical Prosecution Grant Project Breakdown	Grant Funds	Additional Costs**		Department:	
		City Funds	Non-City Funds	Total	Comments
<b>Salaries</b>					
1010 Salaries General	563,223			563,223	
1020 Salaries Grant Reimbursed				-	
1070 Salaries As Needed				-	
1090 Overtime				-	
<b>Salaries Total:</b>	<b>563,223</b>	<b>-</b>	<b>-</b>	<b>563,223</b>	
<b>Related Costs*</b>					
<u>CAP Rate</u>					
Fringe Benefits	245,453			245,453	
Indirects	95,343	67		95,410	
<b>Related Costs Total:</b>	<b>340,796</b>	<b>-</b>	<b>67</b>	<b>340,863</b>	
<b>Expense</b>					
2120 Printing & Binding				-	
2130 Travel	8,031			8,031.00	
3040 Contractual Services				-	
3310 Transportation				-	
4160 Governmental Meetings				-	
6010 Office Supplies				-	
6020 Operating Supplies				-	
7300 Equipment				-	
Other				-	
<b>Expenses Total:</b>	<b>8,031</b>	<b>-</b>	<b>-</b>	<b>8,031</b>	Annual state conference
<b>Grand Total:</b>	<b>912,050</b>	<b>67</b>	<b>-</b>	<b>912,117</b>	
*Please use the full Cost Allocation Plan (CAP) rates unless disallowed by the Grantor. CAP rates should be applied to Gross Salaries (including Compensated Time Off.)					
**Other sources of funding. Please indicate whether these funds are part of a match requirement and whether they are already provided or new funding is required.					



<b>E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY</b> NAME: Carolyn Vu ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758	<b>9. SAM INFORMATION</b> SAM #: WT4DW46STJ35 REGISTERED ADDRESS: 200 N. Main Street, Los Angeles, CA 90012 CITY: Los Angeles ZIP+4: 90012-4110
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10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
				<b>AGREEMENT TOTAL</b>		<b>\$912,050.00</b>
				AMOUNT ENCUMBERED BY THIS DOCUMENT		<b>\$912,050.00</b>
<i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i>				PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT		<b>\$ 0.00</b>
				TOTAL AMOUNT ENCUMBERED TO DATE		<b>\$912,050.00</b>
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED			

## **1. PROBLEM STATEMENT**

As the **largest city in the state of California** and the second largest city in the nation, local traffic safety is paramount in Los Angeles due to the magnitude of traffic related injury and fatality rates. Per the latest OTS Collision Ranking data, in 2018 the City of Los Angeles had highest number (**36,345 individuals**) of victims killed or injured in vehicular collisions for cities with populations over 250,000 in the state of California.

Further compounding the problem as of January 1, 2017 Los Angeles, also become the largest city in the nation to allow for recreational cannabis use. Since January 1, 2018 the availability of cannabis has surged which has only increased the amount of traffic related injuries and fatalities as evidenced by neighboring states that also allowed for recreational cannabis use.

Local data shows that there has been an increase of more than 50% of DUI-D cases presented for prosecution since 2018. As of 2020 more than 50% of all DUI-D cases now involve cannabis as one of the drugs found in drivers arrested. To combat this growing trend, the vertical prosecution team for the City Attorney's office will maintain their four (4) prosecutors and on (1) Grant Coordinator to deal exclusively with prosecuting DUI-D cases.

### ***Prosecution***

The Los Angeles City Attorney Office is solely responsible for all misdemeanor drug impaired driving cases within the city of Los Angeles. Covering more than 500 square miles, the City expands from the Valley to the South Harbor. Six courthouses preside over the DUI-D cases in the City. Two Courthouses are located in downtown Los Angeles, two in the Van Nuys area, and one in the Pacific region near LAX. One is located in San Pedro, nearly 50 miles south from the most northerly courthouse. Although six courthouse review misdemeanor DUI-D cases, three of the courthouses concentrate on the majority of the cases. The Metropolitan Branch, Van Nuys Branch, San Fernando Branch and Airport Branch cover 95% of DUI-D cases in the City. The four current prosecutors are strategically placed at locations with the highest DUI-D arrest to ensure maximum enforcement.

### ***Increased Case Load***

The increase of DUI-D cases makes it necessary to maintain the four attorneys vital to successful DUI-D prosecution. The Metropolitan Branch alone handles 50% of all cases reviewed and filed for the Los Angeles City Attorney's Office. In 2020, the DUI-D team members out of Metropolitan Branch reviewed over 800 cases. This large number of cases equates to nearly 400 cases filed last year. This number has increased nearly 50% since 2018. This surge is most likely due to the legalization of cannabis and other propositions that have reduced the penalties for drug possession and drug use.

### ***Geographical Limitations***

An associated problem is the geographical location of the courthouses in Los Angeles. The large distances between each courthouse makes it difficult to have less than four attorneys to effectively and consistently cover the court houses. Currently, two prosecutors are stationed out of Metropolitan Court house and the Airport Branch while the other two cover the two Valley Court houses. In 2020, the Valley Branch reviewed 260 cases while the San Fernando branch reviewed 155 case.



## 2020 Drug DUI Cases Reviewed

### Location

1945 S. Hill St, Los Angeles Ca 90007 (Metropolitan Court)

14400 Erwin St, Van Nuys, CA 91401 (Van Nuys Courthouse)

11701 La Cienega Blvd, Los Angeles, CA 90045 (Pasific Cou

275 Magnolia Ave, Long Beach, CA 90802 (San Pedro Cour

210 W Temple St, Los Angeles, CA 90012 (Central)

N Brand Blvd, San Fernando, CA 91340 (San Fernando Cour



The four vertical prosecutors are needed to effectively address and prosecute the number of DUI-D cases the city faces. Anything less would present a tremendous strain. The map below shows the amount of Los Angeles City Attorney misdemeanor drug DUI cases reviewed at each courthouse in 2020.

Drug Impaired driving is a complex issue to prosecute. The vertical prosecution format truly is the most efficient and effective manor to handle these multifaceted cases. The Vertical Prosecution model allows prosecutors to acquire specialized knowledge that is necessary to successfully prosecute these offenses. As seen in 2018 OTS Collision Ranking data, Los Angeles ranks the highest number of alcohol involved collisions (**2,801 individuals**). This is an increase from last year, (**2,689**). Furthermore, DUI-D cases have also continued to increase. In recent years, drug impaired driving arrest rates have soared throughout the City of Los Angeles, which corresponds with 2016 data that 15% of all drivers killed in a motor vehicle crash tested positive for legal and/or illegal drugs. Our local data shows that 50% of DUI-D drivers arrested have cannabis detected in blood samples, and a majority of those drivers are poly drug users. Our local data also shows a greater use of prescription drugs in the Valley regions of the City as compared to the downtown area.

To compound the problem, DUI-D trial convictions are among the most challenging to secure even for the most experienced and dedicated attorneys due to evidentiary issues related to impairment and the public's perception regarding certain drugs being "non-offensive."

**Training**

The four current vertical prosecutors do much more than prosecution. They are involved in providing training to both the California Highway Patrol and Los Angeles Police Department. The vertical prosecutors help improve police investigations by educating officers to help increase the likelihood of their cases being filed and thereafter successful in trial. They also attend and/or present at roundtables on a quarterly basis. Furthermore, the vertical prosecutors share this knowledge with all other prosecuting agencies to better improve all impaired driving cases throughout the State.

**Data Collection**

The LA City Attorney's Office look forward to working with OTS to improve data collection efforts. Accurate and reliable data is the first step in being able to address the problem of driving under the influence of drugs. Without accurate data it will be impossible to understand the magnitude and characteristics of the problem. Data provides stakeholders individual, regional and legislative intelligence to address and implement countermeasures to the problems presented by DUID's. The current date detection systems all lack the type of drug that is detected in drivers and the amount of drug.

**DATA SYSTEM TRACKS DRUG AND ALCOHOL SEPERATELY TRACKS**

**DRUG TYPE**

**DETECTED TRACKS**

**DRUG AMOUNT DETECTED FARSXXN/ASWITERS N/AN/AN/ADUIMISXN/AN/ATCISXN/AN/ABY**

maintaining the four current vertical prosecutors the DUI-D team can continue collecting Data related to DUI-D cases. Los Angeles is the most ideal location for data collection as it is the first group A city in California to legalize commercial sales, it covers a diverse group of people, has the infrastructure such as the Los Angeles Police Depart Drug Recognition Experts to conduct evaluations and LAPD crime lab to analyze the toxicology.

**Conclusion**

While impaired driving continues to consume law enforcement, prosecutorial, and judicial resources across the nation, grant funding to maintain the four current vertical prosecutors is critically needed within the City Attorney's Office which will have a positive impact toward the common goal of zero deaths. OTS grant funded vertical prosecutors serve the role of providing in-house expertise across branches as needed, assume the most difficult and challenging DUI-D cases, achieve higher conviction rates than branch trial deputies, and maintain a personal fidelity to the cases they prosecute that inspires others to achieve the same goal of zero deaths. Moreover, their roles help drive impaired driving policy improvements through their participation in task forces, roundtables with other prosecuting agencies, research projects, and innovative new initiatives (such as data collection with OTS). Maintaining the four vertical prosecutor during the FFY 2021-2022 will ensure the collaborative efforts of the Los Angeles City Attorney's Office with other prosecuting agencies and law enforcement, moreover that the aggressive and sustained enforcement of drivers under the influence of drugs in the City of Los Angeles remains in full force and effect.

**2. PERFORMANCE MEASURES**

**A. Goals:**

1. Improve the prosecution knowledge and expertise of DUI Alcohol, DUI Drug and DUI Alcohol/Drug Combination cases.
2. Increase the number of DUI Alcohol, DUI Drug and DUI Alcohol/Drug Combination cases filed and prosecuted.

**B. Objectives:**

1. Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.
2. Create or expand a Vertical Prosecution Program with the City Attorney or District Attorney's Office by November 30. The program will facilitate the prosecution of all

**Target Number**

1

1

DUI drug cases, all DUI alcohol and drug combination cases, and if applicable, all felony DUI alcohol cases with death or injury.	
3. Designate prosecutor position(s) and investigator position(s) to the DUI caseload to prosecute DUI Alcohol, DUI Drug and DUI Alcohol/Drug Combo cases. The individual(s) will be dedicated solely to this assignment allowing them to gain expertise in the investigation and prosecution of DUI Alcohol, DUI Drug, and DUI Alcohol/Drug Combo cases. While employed by the City Attorney's or District Attorney's Office, the individual(s) in the grant-funded DUI Vertical Prosecutor position(s) should remain the same throughout the term of the grant.	4
4. Develop and implement a system for gathering, tracking, and reporting all DUI case reviews, filings, and outcomes in the county/city by December 31, differentiating between: 1) DUI Alcohol-only; 2) DUI Drug-only; and 3) DUI Combination	1
5. Report on all DUI case reviews, filings and outcomes in the county or city throughout the grant, differentiating between: 1) DUI Alcohol-only; 2) DUI Drug-only; and 3) DUI Combination Alcohol and Drug cases.	1
6. Partner with the California Traffic Safety Resource Prosecutor Training Network to provide comprehensive training in the prosecution of DUI Alcohol and DUI Drug cases with an effort to reach prosecutors and investigators.	1
7. Send the funded prosecutor(s) to trainings/meetings sponsored by OTS and/or the California Traffic Safety Resource Prosecutor Training Network.	1
8. Coordinate and host four regional roundtable law enforcement meetings (one each quarter, with telephone or internet conference capabilities) to provide information on the DUI Vertical Prosecution Program, interact with law enforcement to identify means to improve DUI investigation and prosecution, and assess technical assistance needs for training on DUI investigation and court testimony. OTS staff, local law enforcement, CHP and probation staff should be included in the roundtable. Agenda and minutes should be produced and distributed. All four meetings for the year should be scheduled in the first quarter of the grant.	1
9. Coordinate with local law enforcement agencies on the development of an on-call response protocol for the investigation of fatal and major injury DUI vehicle crashes, and to report on response activities	1
10. Participate in at least one DUI saturation ride-along and attend/observe at least one DUI checkpoint. Note: The funded vertical prosecutor(s) and investigator should participate within the first quarter of the grant. Saturation patrol ride-along and checkpoint observation may be combined into one evening.	1
11. Respond to at least one fatal DUI crash investigation scene. Note: The funded vertical prosecutor(s) and investigator(s) should achieve this objective within the first quarter of the grant.	1
<b>3. METHOD OF PROCEDURE</b>	
<b>A. Phase 1 – Program Preparation (1<sup>st</sup> Quarter of Grant Year)</b>	
<ul style="list-style-type: none"> <li>• Maintain staff for the grant.</li> <li>• Procure all materials necessary to implement the grant.</li> <li>• Identify dates and schedule the four Roundtable Meetings (one each quarter with telephone conference capabilities). Notify the OTS coordinator of the dates. Meetings are meant to provide information on the DUI Vertical Prosecution Program, interact with law enforcement to identify means to improve DUI investigation and prosecution, and assess technical assistance needs for training on DUI investigation and court testimony. OTS staff, TSRP staff, local law enforcement, CHP and probation staff should be included in the roundtable. Agenda and minutes should be produced and distributed. All four meetings for the year should be scheduled in the first quarter of the grant.</li> <li>• Develop protocols to be used to measure the success of the DUI Prosecution Program.</li> <li>• Conduct training for all program staff outlining the goals and objectives of the project.</li> <li>• Refer cases for prosecution to the grant-funded Deputy District/City Attorney(s).</li> <li>• Transfer all pending DUI cases which qualify under this program so that vertical prosecution may begin.</li> </ul>	

- Develop a training protocol for law enforcement agencies within the county, and start a process of coordinating all reporting, investigation, and referral of cases that qualify under the grant. Media Requirements
- Issue a press release approved by the OTS PIO announcing the kick-off of the grant by November 15, but no sooner than October 1. The kick-off release must be approved by the OTS PIO and only distributed after the grant is fully signed and executed. If you are unable to meet the November 15 deadline to issue a kick-off press release, communicate reasons to your OTS coordinator and OTS PIO.

**B. Phase 2 – Program Operations (Throughout Grant Year)**

- Prosecution will be on-going. The Deputy District/City Attorney(s) will review DUI cases from all law enforcement agencies in the county/city.
- Training for law enforcement personnel, District Attorney Investigators and other Deputy District/City Attorneys will begin and continue throughout the program.
- Prosecutor(s) will:
  - a) Work to secure convictions (as justice requires) and appropriate sentences that reflect the public safety risk posed by the offender.
  - b) Mentor trial attorneys on how to successfully try high-risk DUI offenders.
  - c) Host Quarterly Roundtable meetings with law enforcement personnel, TSRP and OTS Coordinator.
  - d) Work with the TSRP to obtain and deliver high quality DUI prosecution training programs to non-grant-funded prosecutors.
  - e) Work with the TSRP to obtain and deliver high quality DUI investigation, report writing and courtroom testimony training programs to law enforcement personnel (police officers, deputies, District Attorney Investigators and crime lab scientists).
  - f) Attend training programs that cover evaluation and preparation of DUI drug cases, marijuana, prescription drugs, drug trends, people’s experts, defense challenges, cross-examination of experts, SFST evidence, jury considerations and toxicology evidence, and incorporate this information into DUI trainings for attorneys and law enforcement personnel.
  - g) Send the funded vertical prosecutor(s) and investigator to the NHTSA “Advanced Roadside Impaired Driving Enforcement” (ARIDE) 16 hour POST-Certified training, if not already trained. Note: The funded vertical prosecutor(s) and investigator(s) should achieve this objective within the first quarter of the grant.

Media Requirements

- The following requirements are for all grant-related activities
- Send all media advisories, alerts, videos, graphics, artwork, posters, radio/PSA/video scripts, storyboards, digital and/or print educational materials for grant-related activities to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS coordinator. Optimum lead time would be 7 days before the scheduled release but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- The OTS PIO is responsible for the approval of the design and content of materials. The agency understands OTS PIO approval is not authorizing approval of budget expenditure or cost. Any cost approvals must come from the Coordinator.
- Pre-approval is not required when using any OTS-supplied template for media advisories, press releases, social media graphics, videos or posts, or any other OTS-supplied educational material. However, copy the OTS PIO at pio@ots.ca.gov and your OTS coordinator when any material is distributed to the media and public, such as a press release, educational material, or link to social media post. The OTS-supplied kick-off press release templates and any kickoff press releases are an exception to this policy and require prior approval before distribution to the media and public.
- If an OTS-supplied template, educational material, social media graphic, post or video is substantially changed, the changes shall be sent to the OTS PIO at pio@ots.ca.gov for approval and copy to your OTS Coordinator. Optimum lead time would be 7 days prior to the scheduled release date, but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- Press releases, social media posts and alerts on platforms such as NextDoor and Nixle reporting immediate and time-sensitive grant activities (e.g. enforcement operations, day of event highlights or announcements, event invites) are exempt from the OTS PIO approval process. The OTS PIO and your Coordinator should still be notified when the grant-related activity is

happening (e.g. car seat checks, bicycle rodeos, community presentations, DUI checkpoints, etc.).

- Enforcement activities such as warrant and probation sweeps, court stings, etc. that are embargoed or could impact operations by publicizing in advance are exempt from the PIO approval process. However, announcements and results of activities should still be copied to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and your Coordinator with embargoed date and time or with "INTERAL ONLY: DO NOT RELEASE" message in subject line of email.
- Any earned or paid media campaigns for TV, radio, digital or social media that are part of a specific grant objective, using OTS grant funds, or designed and developed using contractual services by a subgrantee, requires prior approval. Please send to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) for approval and copy your grant coordinator at least 3 business days prior to the scheduled release date.
- Social media posts highlighting state or national traffic safety campaigns (Distracted Driving Month, Motorcycle Safety Awareness Month, etc.), enforcement operations (DUI checkpoints, etc.), or any other grant-related activity such as Bicycle rodeos, presentations, or events, are highly encouraged but do not require prior approval.
- Submit a draft or rough-cut of all digital, printed, recorded or video material (brochures, posters, scripts, artwork, trailer graphics, digital graphics, social posts connected to an earned or paid media campaign grant objective) to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator for approval prior to the production or duplication.
- Use the following standard language in all press, media, and printed materials, space permitting: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Space permitting, include the OTS logo on all grant-funded print materials, graphics and paid or earned social media campaign grant objective; consult your OTS Coordinator for specifics, format-appropriate logos, or if space does not permit the use of the OTS logo.
- Email the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator at least 21 days in advance, or when first confirmed, a short description of any significant grant-related traffic safety event or program, particularly events that are highly publicized beforehand with anticipated media coverage so OTS has sufficient notice to arrange for attendance and/or participation in the event. If unable to attend, email the OTS PIO and coordinator brief highlights and/or results, including any media coverage (broadcast, digital, print) of event within 7 days following significant grant-related event or program. Media and program highlights are to be reflected in QPRs.
- Any press releases, work plans, scripts, storyboards, artwork, graphics, videos or any educational or informational materials that received PIO approval in a prior grant year needs to be resubmitted for approval in the current grant year.
- Contact the OTS PIO or your OTS Coordinator for consultation when changes from any of the above requirements might be warranted.

### **C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)**

1. Prepare and submit invoice claims (due January 30, April 30, July 30, and October 30)

2. Prepare and submit Quarterly Performance Reports (QPR) (due January 30, April 30, July 30, and October 30)

- Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
- Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
- Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
- Collect, analyze and report statistical data relating to the grant goals and objectives. The following 19 data points will be collected:
  - Case number
  - Full Name
  - Arrest Date
  - DRE Classification called
  - Toxicology Screen
  - Toxicology Confirmation on THC
  - Toxicology Confirmation on THC Metabolite

- Traffic Collision
- Time of Arrest
- Time of Blood Draw
- Use of Warrant
- Driver's License number
- Date of Birth
- Gender
- Race
- Alcohol
- Checkpoint Case
- Initial Charge
- Case Disposition
- Additional points can be added per request of Office of Traffic Safety

#### **4. METHOD OF EVALUATION**

Using the data compiled during the grant, the Grant Director will complete the "Final Evaluation" section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

#### **5. ADMINISTRATIVE SUPPORT**

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
405d AL-22	20.616	Impaired Driving Countermeasures	\$912,050.00

COST CATEGORY	FUND NUMBER	UNIT COST OR RATE	UNITS	TOTAL COST TO GRANT
<b>A. PERSONNEL COSTS</b>				
Positions and Salaries <u>Straight Time</u>				\$0.00
<u>Overtime</u>				
Prosecutor	405d AL-22	\$63.82	2,080	\$132,746.00
Benefits-Deputy City Attorney II	405d AL-22	\$132,746.00	1	\$57,851.00
Prosecutor	405d AL-22	\$69.96	2,080	\$145,517.00
Benefits-Deputy City Attorney II	405d AL-22	\$145,517.00	1	\$63,416.00
Deputy City Attorney I	405d AL-22	\$49.23	2,080	\$102,398.00
Benefits- Deputy City Attorney I	405d AL-22	\$102,398.00	1	\$44,625.00
Prosecutor	405d AL-22	\$46.97	2,080	\$97,698.00
Benefits- Deputy City Attorney I	405d AL-22	\$97,698.00	1	\$42,577.00
Administrative Coordinator I	405d AL-22	\$40.80	2,080	\$84,864.00
Benefits- Administrative Coordinator I	405d AL-22	\$84,864.00	1	\$36,984.00
Category Sub-Total				\$808,676.00
<b>B. TRAVEL EXPENSES</b>				
				\$0.00
				\$0.00
Category Sub-Total				\$8,031.00
<b>C. CONTRACTUAL SERVICES</b>				
				\$0.00
Category Sub-Total				\$0.00
<b>D. EQUIPMENT</b>				
				\$0.00
Category Sub-Total				\$0.00
<b>E. OTHER DIRECT COSTS</b>				
				\$0.00
Category Sub-Total				\$0.00
<b>F. INDIRECT COSTS</b>				

Indirect Costs	405d AL-22		1	\$95,343.00
Category Sub-Total				\$95,343.00
<b>GRANT TOTAL</b>				<b>\$912,050.00</b>



<b>BUDGET NARRATIVE</b>
<p><b>PERSONNEL COSTS</b>                      Prosecutor - Hours for prosecutor dedicated to vertically prosecute all felony cases involving driving under the influence of alcohol and/or drugs. Hours may include wages or authorized absences, such as annual leave and sick leave, provided they are accrued during the grant term. The prosecutors will attend training provided by the Traffic Safety Resource Prosecutor Program and deliver training to law enforcement, investigators and other attorneys within the District Attorney's Office. Example: 1 x \$41.91 x 2080 = \$87,173.00</p>
<p>Benefits-Deputy City Attorney II -</p>
<p>Prosecutor - Hours for prosecutor dedicated to vertically prosecute all felony cases involving driving under the influence of alcohol and/or drugs. Hours may include wages or authorized absences, such as annual leave and sick leave, provided they are accrued during the grant term. The prosecutors will attend training provided by the Traffic Safety Resource Prosecutor Program and deliver training to law enforcement, investigators and other attorneys within the District Attorney's Office. Example: 1 x \$41.91 x 2080 = \$87,173.00</p>
<p>Benefits-Deputy City Attorney II - Benefits-Deputy City Attorney II</p>
<p>Deputy City Attorney I - Vertical DUID Prosecutor</p>
<p>Benefits- Deputy City Attorney I - Benefits- Deputy City Attorney I</p>
<p>Prosecutor - Hours for prosecutor dedicated to vertically prosecute all felony cases involving driving under the influence of alcohol and/or drugs. Hours may include wages or authorized absences, such as annual leave and sick leave, provided they are accrued during the grant term. The prosecutors will attend training provided by the Traffic Safety Resource Prosecutor Program and deliver training to law enforcement, investigators and other attorneys within the District Attorney's Office. Example: 1 x \$41.91 x 2080 = \$87,173.00</p>
<p>Benefits- Deputy City Attorney I - Benefits- Deputy City Attorney I</p>
<p>Administrative Coordinator I - DUID Administrative Coordinator</p>
<p>Benefits- Administrative Coordinator I - Benefits- Administrative Coordinator I</p>
<p><b>TRAVEL EXPENSES</b>                      In State Travel - Travel Budget for vertical prosecutors to attend training or conferences.</p>
<p><b>CONTRACTUAL SERVICES</b>                      -</p>
<p><b>EQUIPMENT</b>                      -</p>
<p><b>OTHER DIRECT COSTS</b>                      -</p>
<p><b>INDIRECT COSTS</b>                      Indirect Costs - Indirect Cost- 16.94% of salary and benefits.</p>
<p><b>STATEMENTS/DISCLAIMERS</b></p>

**CERTIFICATIONS AND ASSURANCES FOR HIGHWAY SAFETY GRANTS**  
(23 U.S.C. Chapter 4; Sec. 1906, Pub. L. 109-59, As Amended By Sec. 4011, Pub. L. 114-94)

The officials named on the grant agreement, certify by way of signature on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

**GENERAL REQUIREMENTS**

- 23 U.S.C. Chapter 4 – Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 23 CFR part 1300 – Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 – Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

**NONDISCRIMINATION**

(applies to subrecipients as well as States)

The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970**, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- **Federal-Aid Highway Act of 1973**, (23 U.S.C. 324 *et seq.*), and **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681-1683 and 1685-1686) (prohibit discrimination on the basis of sex);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability) and 49 CFR part 27;
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. 6101 *et seq.*), (prohibits discrimination on the basis of age);
- **The Civil Rights Restoration Act of 1987**, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- **Titles II and III of the Americans with Disabilities Act** (42 U.S.C. 12131-12189) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and 49 CFR parts 37 and 38;
- **Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations** (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- **Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency** (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The Subgrantee-

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied the benefits of,

or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;

- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;
- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing US DOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;
- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;
- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

"During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;
- b. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49 CFR part 21 and herein;
- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the State highway safety office, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- e. To insert this clause, including paragraphs (a) through (e), in every subcontract and sub agreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

#### **POLITICAL ACTIVITY (HATCH ACT)**

**(applies to subrecipients as well as States)**

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

#### **CERTIFICATION REGARDING FEDERAL LOBBYING**

**(applies to subrecipients as well as States)**

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal 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 awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of

any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. 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 contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### **RESTRICTION ON STATE LOBBYING**

#### **(applies to subrecipients as well as States)**

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

### **CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**

#### **(applies to subrecipients as well as States)**

#### Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person

who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency may terminate the transaction for cause or default.

*Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions*

(1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this proposal 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 in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered in to. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the

department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

*Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:*

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**BUY AMERICA ACT**

**(applies to subrecipients as well as States)**

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal

funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

**PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE  
(applies to subrecipients as well as States)**

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

**POLICY ON SEAT BELT USE**

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at [www.trafficsafety.org](http://www.trafficsafety.org). The NHTSA website ([www.nhtsa.gov](http://www.nhtsa.gov)) also provides information on statistics, campaigns, and program evaluations and references.

**POLICY ON BANNING TEXT MESSAGING WHILE DRIVING**

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

# Application Information

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Application No: 22-003122

Application Type:	Vertical Prosecution	Agency (City or County):	<u>Los Angeles</u>	Department (Police Dept, DA Office, etc):	<u>Los Angeles City Attorney's Office</u>
Authorized Representative:	<u>Janette Flintoft</u>	DUNS Number:	156092066	DUNS Expiration Date:	4/18/2020
DUNS Registered Address:	200 N. Main Street, Los Angeles, CA 90012	DUNS City:	Los Angeles	DUNS ZIP+4:	90012-4110

# Application Summary

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Grants Made Easy Application Titles and Descriptions are pre-populated. For General Grants, provide the Application Title and Application Description.

Application Title:

Alcohol and Drug Impaired Driver Vertical Prosecution Program

Application Description:

The County District Attorney's Office (or City Attorney's Office) will assign a specialized team to prosecute alcohol and drug impaired driving cases. The DUI prosecution team will handle cases throughout each step of the criminal process. Prosecution team members will work to increase the capabilities of the team and the office by obtaining and delivering specialized training. Team members will share information with peers and law enforcement personnel throughout the county and across the state. The office will accomplish these objectives as a means to prevent impaired driving and reduce alcohol and drug-involved traffic fatalities and injuries.

Problem Statement:

As the **largest city in the state of California** and the second largest city in the nation, local traffic safety is paramount in Los Angeles due to the magnitude of traffic related injury and fatality rates. Per the latest OTS Collision Ranking data, in 2018 the City of Los Angeles had highest number (**36,345 individuals**) of victims killed or injured in vehicular collisions for cities with populations over 250,000 in the state of California.



Further compounding the problem as of January 1, 2017 Los Angeles, also become the largest city in the nation to allow for recreational cannabis use. Since January 1, 2018 the availability of cannabis has surged which has only increased the amount of traffic related injuries and fatalities as evidenced by neighboring states that also allowed for recreational cannabis use.

Local data shows that there has been an increase of more than 50% of DUI-D cases presented for prosecution since 2018. As of 2020 more than 50% of all DUI-D cases now involve cannabis as one of the drugs found in drivers arrested. To combat this growing trend, the vertical prosecution team for the City Attorney’s office will maintain their four (4) prosecutors and on (1) Grant Coordinator to deal exclusively with prosecuting DUI-D cases.

***Prosecution***

The Los Angeles City Attorney Office is solely responsible for all misdemeanor drug impaired driving cases within the city of Los Angeles. Covering more than 500 square miles, the City expands from the Valley to the South Harbor. Six courthouses preside over the DUI-D cases in the City. Two Courthouses are located in downtown Los Angeles, two in the Van Nuys area, and one in the Pacific region near LAX. One is located in San Pedro, nearly 50 miles south from the most northerly courthouse. Although six courthouse review misdemeanor DUI-D cases, three of the courthouses concentrate on the majority of the cases. The Metropolitan Branch, Van Nuys Branch , San Fernando Branch and Airport Branch cover 95% of DUI-D cases in the City. The four current prosecutors are strategically placed at locations with the highest DUI-D arrest to ensure maximum enforcement.

***Increased Case Load***

The increase of DUI-D cases makes it necessary to maintain the four attorneys vital to successful DUI-D prosecution. The Metropolitan Branch alone handles 50% of all cases reviewed and filed for the Los Angeles City Attorney’s Office. In 2020, the DUI-D team members out of Metropolitan Branch reviewed over 800 cases. This large number of cases equates to nearly 400 cases filed last year. This number has increased nearly 50% since 2018. This surge is most likely due to the legalization of cannabis and other propositions that have reduced the penalties for drug possession and drug use.

***Geographical Limitations***

An associated problem is the geographical location of the courthouses in Los Angeles. The large distances between each courthouse makes it difficult to have less than four attorneys to effectively and consistently cover the court houses. Currently, two prosecutors are stationed out of Metropolitan Court house and the Airport Branch while the other two cover the two Valley Court houses. In 2020, the Valley Branch reviewed 260 cases while the San Fernando branch reviewed 155 case.

<b>2020 Drug DUI Cases Reviewed</b>	
<b>Location</b>	<b>Cases</b>
1945 S. Hill St, Los Angeles Ca 90007 (Metropolitian Courthouse)	842
14400 Erwin St, Van Nuys, CA 91401 (Van Nuys Courthouse)	260
11701 La Cienega Blvd, Los Angeles, CA 90045 (Pasific Courthouse)	25
275 Magnolia Ave, Long Beach, CA 90802 (San Pedro Courthouse)	32
210 W Temple St, Los Angeles, CA 90012 (Central)	1
N Brand Blvd, San Fernando, CA 91340 (San Fernando Courthouse )	155



The four vertical prosecutors are needed to effectively address and prosecute the number of DUI-D cases the city faces. Anything less would present a tremendous strain. The map below shows the amount of Los Angeles City Attorney misdemeanor drug DUI cases reviewed at each courthouse in 2020.

Drug Impaired driving is a complex issue to prosecute. The vertical prosecution format truly is the most efficient and effective manor to handle these multifaceted cases. The Vertical Prosecution model allows prosecutors to acquire specialized knowledge that is necessary to successfully prosecute these offenses. As seen in 2018 OTS Collision Ranking data, Los Angeles ranks the highest number of alcohol involved collisions (**2,801 individuals**). This is an increase from last year, (**2,689**). Furthermore, DUI-D cases have also continued to increase. In recent years, drug impaired driving arrest rates have soared throughout the City of Los Angeles, which corresponds with 2016 data that 15% of all drivers killed in a motor vehicle crash tested positive for legal and/or illegal drugs. Our local data shows that 50% of DUI-D drivers arrested have cannabis detected in blood samples, and a majority of those drivers are poly drug users. Our local data also shows a greater use of prescription drugs in the Valley regions of the City as compared to the downtown area.

To compound the problem, DUI-D trial convictions are among the most challenging to secure even for the most experienced and dedicated attorneys due to evidentiary issues related to impairment and the public's perception regarding certain drugs being "non-offensive."

### ***Training***

The four current vertical prosecutors do much more than prosecution. They are involved in providing training to both the California Highway Patrol and Los Angeles Police Department. The vertical prosecutors help improve police investigations by educating officers to help increase the likelihood of their cases being filed and thereafter successful in trial. They also attend and/or present at roundtables on a quarterly basis. Furthermore, the vertical prosecutors share this knowledge with all other prosecuting agencies to better improve all impaired driving cases throughout the State.

### ***Data Collection***

The LA City Attorney's Office look forward to working with OTS to improve data collection efforts. Accurate and reliable data is the first step in being able to address the problem of driving under the influence of drugs. Without accurate data it will be impossible to

understand the magnitude and characteristics of the problem. Data provides stakeholders individual, regional and legislative intelligence to address and implement

countermeasures to the problems presented by DUID's. The current date detection systems all lack the type of drug that is detected in drivers and the amount of drug.

DATA SYSTEM	TRACKS DRUG AND ALCOHOL SEPERATELY	TRACKS DRUG TYPE DETECTED	TRACKS DRUG AMOUNT DETECTED
FARS	X	X	N/A
SWITERS	N/A	N/A	N/A
DUIMIS	X	N/A	N/A
TCIS	X	N/A	N/A

By maintaining the four current vertical prosecutors the DUI-D team can continue collecting Data related to DUI-D cases. Los Angeles is the most ideal location for data collection as it is the first group A city in California to legalize commercial sales, it covers a diverse group of people, has the infrastructure such as the Los Angeles Police Depart Drug Recognition Experts to conduct evaluations and LAPD crime lab to analyze the toxicology.

### **Conclusion**

While impaired driving continues to consume law enforcement, prosecutorial, and judicial resources across the nation, grant funding to maintain the four current vertical prosecutors is critically needed within the City Attorney's Office which will have a positive impact toward the common goal of zero deaths. OTS grant funded vertical prosecutors serve the role of providing in-house expertise across branches as needed, assume the most difficult and challenging DUI-D cases, achieve higher conviction rates than branch trial deputies, and maintain a personal fidelity to the cases they prosecute that inspires others to achieve the same goal of zero deaths. Moreover, their roles help drive impaired driving policy improvements through their participation in task forces, roundtables with other prosecuting agencies, research projects, and innovative new initiatives (such as data collection with OTS). Maintaining the four vertical prosecutor during the FFY 2021-2022 will ensure the collaborative efforts of the Los Angeles City Attorney's Office with other prosecuting agencies and law enforcement, moreover that the aggressive and sustained enforcement of drivers under the influence of drugs in the City of Los Angeles remains in full force and effect.

Traffic Data Summary:

Complete the table below using SWITRS data and update the 20X years in the table.

	2018	2019	2020
Fatal Injury	13	21	272
Fatal Injury	24364	233	17284
Crashes	16	823	17
Alcohol Involved	698	16	509

Using the DMV DUI Management Information System (MIS) report, complete the table below.

	2013		2014		2015	
	Felony	Misdemeanor	Felony	Misdemeanor	Felony	Misdemeanor
Countywide DUI Arrests	1227	36524	1269	34782	1289	29434

Using local data, complete the table below. If your data system cannot differentiate DUI cases by alcohol, drug, and combo, report all cases on the alcohol row and include an explanation below the table

	FY-2018			FY- 2019			FY – 2020		
CASES	MISDEMEANOR			MISDEMEANOR			MISDEMEANOR		
DUI	REVIEWED	FILED	GUILTY	REVIEWED	FILED	GUILTY	REVIEWED	FILED	GUILTY
ALCOHOL	7459	7107	6764	7206	6813	6421	5332	4911	2755
DRUG	812	608	477	835	485	430	887	414	202
COMBO	114	98	75	166	128	101	181	113	42

## Proposed Solution

Strategies:

To combat the increase of nearly 50% in cases reviewed (from 2018). While the Vertical Prosecution Team in the City Attorney’s Office has made substantial inroads recognizing and addressing the drug impaired driving problem during the past several years, much work remains to still achieve the goal of zero deaths, including collaborative efforts with the Northern regions of California to address traffic safety issues. For FFY 2021, the City Attorney’s Office proposes to continue to address the growing drugged impaired driving problem by building upon its accomplishments and impaired driving efforts currently underway as follows:

- Vertically prosecute all misdemeanor DUID cases within the jurisdiction of the Los Angeles City Attorney's Office.
- For each vertical prosecutor maintain DUID active case load of a minimum of 150 – 200 cases each year.
- Increase DUID trial conviction rate by 5%, from 50% to 55% or higher.
- Maintain or increase DUID plea conviction rates to 70% or higher.
- Maintain information sharing through roundtables with the Los Angeles District Attorney's Office, Orange County District Attorney's Office, checkpoint visits, fatality scene visits, trainings, and conference attendance.
- Maintain joint trainings for law enforcement and prosecutors in conjunction with local and statewide stakeholder partners, including the Los Angeles District Attorney's Office and Orange County District Attorney's Office to spread the knowledge base and skills learned by conducting trial.
- The four prosecutors will be trained by Los Angeles City Attorney's lead DUID vertical prosecutor and coordinator Farhad Khadem. In addition, the prosecutors will be required to attend ARID or IDAP class then, to develop a further a deeper understanding of drug DUI prosecution they will attend the DRE school.
- The City Attorney's Office will send its vertical prosecutors to the CDAA Vehicular Manslaughter Conference and other impaired driving trainings to enhance and expand on their subject matter expertise.
- The four vertical prosecutors will keep data on all cases reviewed. The following 19 Data points will be collected.

- Case number
- Full Name
- Arrest Date
- DRE Classification called
- Toxicology Screen
- Toxicology Confirmation on THC
- Toxicology Confirmation on THC Metabolite
- Traffic Collision
- Time of Arrest
- Time of Blood Draw
- Use of Warrant
- Driver's License number
- Date of Birth
- Gender
- Race
- Alcohol
- Checkpoint Case
- Initial Charge
- Case Disposition
- Additional points can be added per request of Office of Traffic Safety

These data points allow stake-holders to review drug trends, the quantitative level of THC and it's metabolite in actual drivers, the time it takes for an average blood draw from the time of initial contact and other highly relevant data points.

For FY 2022, the City Attorney's Office will coordinate with the Los Angeles District Attorney's Office and the Orange County District Attorney's office to continue to provide support on training for both law enforcement and other attorneys and on legal issues that affect drug DUI's. City wide prosecutors will be encouraged to attend ARIDE/IDAP and DRE schools to enhance their understanding of the skills and expertise possessed by LAPD officers. In addition, the City Attorney's Office will send its vertical prosecutors to the CDAA Vehicular Manslaughter Conference and other impaired driving trainings to enhance and expand on their subject matter expertise.

In addition, during FY 2022 the City Attorney's School Safety Prosecutor, will continue to work with the Los Angeles Department of Transportation on pedestrian safety issues. The City Attorney's Office will work with the California Department of Motor Vehicles on the process evaluation of the Vertical Prosecution Program Implementation study in the State of California and with UC Berkeley to support its Complete Streets Safety Assessment.

Agency Qualifications:

In a City totaling nearly 4 million people, the LACA files all misdemeanor cases occurring within the City limits. With over 500 attorneys, it is the second largest municipal law agency in the nation. Comprising both civil and criminal divisions, 250 criminal prosecutors staff six branch locations throughout the City of Los Angeles. Its jurisdiction spans from the southern harbor/San Pedro region all the way up toward the northern reaches of the San Fernando Valley.

On average, the LACA files nearly 50,000 criminal cases each year of which 7,000 to 10,000 involved alcohol or drug impaired driving. Case filing referrals arise from local, state, and federal law enforcement agencies, as well as the Los Angeles District Attorney's Office involving criminal cases that do not meet felony filing requirements and/or matters known as "wobblers" that can be filed either as misdemeanors or felonies.

As the largest city within the County of Los Angeles, the LACA annually handles nearly one-third of all misdemeanor DUI arrests occurring within the County. Notably, in 2019, lead DUI-D Deputy City Attorney Farhad Khadem was named the "2019 Prosecutor of the Year" by Mothers Against Drunk Driving of Southern California. City Attorney Mike Feuer presented the award to DCA Khadem at a luncheon attended by law enforcement, city and county prosecutors, and many others. As the DUI-Drug Unit Coordinator, DCA Khadem has established himself as a legal expert in the field of DUI-Drug prosecutions. He has tried dozens of these difficult and complex cases to verdict, he provides regular training for law enforcement officers as well as fellow prosecutors, and he has been a great speaker/panelist at countless seminars and conferences throughout the state.

On the operations level, through OTS grant funding, in FY 2012-2013 the LACA established its first ever impaired driving vertical prosecution team consisting of two experienced attorneys. From FY 2012 through FY 2020, the team has filed more than 5,000 impaired driving cases. Currently, four highly qualified vertical prosecutors, DUI-D Coordinator and DCA Farhad Khadem, DCA George Topchyan, DCA Magdalena Casas and DCA Anthony King have enhanced the LACA's prosecutions of criminal misdemeanor driving offenses and infractions by successfully prosecuting DUI and DUID cases and providing office-wide trainings. The Impaired Driving Vertical Prosecution Program has resulted in increased DUI case filings and conviction rates, while serving to maintain the spotlight on this significant traffic safety problem. The progression of our unit is also due to the assistance of our Administrative Coordinator, Vanessa Chavez. As the Admin Coordinator for the unit, Vanessa has been instrumental in assisting with all legal administrative aspects including organization, processing cases and ensuring grant compliance and data collection. While much progress has been made, convictions continue to be challenging and more work needs to be done to achieve our goals. The continuation of funding specialized and dedicated Deputy City Attorneys will help to achieve our goals in conjunction with our Administrative Coordinator providing legal admin support.

During FY 2022, the team will be overseen by DCA Farhad Khadem, the DUI-D Coordinator. This enhanced prosecution team/model will have a significant impact on drug impaired driving, particularly with the advent of recreational cannabis in the City of Los Angeles. On the grants management side, Vanessa Chavez has taken over fiscal and administrative operations with Budget Director Michiko Reyes assisting her with fiscal operations and Grant Director Janette Flintoft assisting with the administrative operations. Together they have supported Office of Traffic Safety grant responsibilities, whose salaries are funded through the City's General Fund.



Program Sustainability:

The LACA is committed to drug impaired driving and has assigned DCA Farhad Khadem as the DUI-D Coordinator. Furthermore, on its civil side a Marijuana Enforcement Unit is committed to ensuring public safety with the advent of legal recreational cannabis. Office wide OTS grant support includes managing the program's external partners, providing training space/materials, hosting site visits, hosting round-tables, drafting articles, developing training materials, presenting at conferences and grant reporting.

To sustain the vertical prosecution of DUID cases in the future, it is envisioned that funding could be sought through the City's General Fund as part of a broader effort to educate our City Council regarding traffic safety issues and promote the positive impact of the grant funded vertical prosecution positions.

## Goals

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Description

Improve the prosecution knowledge and expertise of DUI Alcohol, DUI Drug and DUI Alcohol/Drug Combination cases.

Increase the number of DUI Alcohol, DUI Drug and DUI Alcohol/Drug Combination cases filed and prosecuted.

Custom Description

# Objectives

Included	Target Number	Description
Yes	1	Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at <a href="mailto:pio@ots.ca.gov">pio@ots.ca.gov</a> , and copied to your OTS Coordinator, for approval 14 days prior to the issuance date of the release.
Yes	1	Create or expand a Vertical Prosecution Program with the City Attorney or District Attorney's Office by November 30. The program will facilitate the prosecution of all DUI drug cases, all DUI alcohol and drug combination cases, and if applicable, all felony DUI alcohol cases with death or injury.
Yes	4	Designate prosecutor position(s) and investigator position(s) to the DUI caseload to prosecute DUI Alcohol, DUI Drug and DUI Alcohol/Drug Combo cases. The individual(s) will be dedicated solely to this assignment allowing them to gain expertise in the investigation and prosecution of DUI Alcohol, DUI Drug, and DUI Alcohol/Drug Combo cases. While employed by the City Attorney's or District Attorney's Office, the individual(s) in the grant-funded DUI Vertical Prosecutor position(s) should remain the same throughout the term of the grant.
Yes	1	Develop and implement a system for gathering, tracking, and reporting all DUI case reviews, filings, and outcomes in the county/city by December 31, differentiating between: 1) DUI Alcohol-only; 2) DUI Drug-only; and 3) DUI Combination
Yes	1	Report on all DUI case reviews, filings and outcomes in the county or city throughout the grant, differentiating between: 1) DUI Alcohol-only; 2) DUI Drug-only; and 3) DUI Combination Alcohol and Drug cases.
Yes	1	Partner with the California Traffic Safety Resource Prosecutor Training Network to provide comprehensive training in the prosecution of DUI Alcohol and DUI Drug cases with an effort to reach prosecutors and investigators.
Yes	1	Send the funded prosecutor(s) to trainings/meetings sponsored by OTS and/or the California Traffic Safety Resource Prosecutor Training Network.
Yes	1	Coordinate and host four regional roundtable law enforcement meetings (one each quarter, with telephone or internet conference capabilities) to provide information on the DUI Vertical Prosecution Program, interact with law enforcement to identify means to improve DUI investigation and prosecution, and assess technical assistance needs for training on DUI investigation and court testimony. OTS staff, local law enforcement, CHP and probation staff should be included in the roundtable. Agenda and minutes should be produced and distributed. All four meetings for the year should be scheduled in the first quarter of the grant.
Yes	1	Coordinate with local law enforcement agencies on the development of an on-call response protocol for the investigation of fatal and major injury DUI vehicle crashes, and to report on response activities
Yes	1	Participate in at least one DUI saturation ride-along and attend/observe at least one DUI checkpoint. Note: The funded vertical prosecutor(s) and investigator should participate within the first quarter of the grant. Saturation patrol ride-along and checkpoint observation may be combined into one evening.
Yes	1	Respond to at least one fatal DUI crash investigation scene. Note: The funded vertical prosecutor(s) and investigator(s) should achieve this objective within the first quarter of the grant.
Included	Target Number	Custom Description

# Method of Procedure

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## Phase 1 - Program Preparation:

- Maintain staff for the grant.
- Procure all materials necessary to implement the grant.
- Identify dates and schedule the four Roundtable Meetings (one each quarter with telephone conference capabilities). Notify the OTS coordinator of the dates. Meetings are meant to provide information on the DUI Vertical Prosecution Program, interact with law enforcement to identify means to improve DUI investigation and prosecution, and assess technical assistance needs for training on DUI investigation and court testimony. OTS staff, TSRP staff, local law enforcement, CHP and probation staff should be included in the roundtable. Agenda and minutes should be produced and distributed. All four meetings for the year should be scheduled in the first quarter of the grant.
- Develop protocols to be used to measure the success of the DUI Prosecution Program.
- Conduct training for all program staff outlining the goals and objectives of the project.
- Refer cases for prosecution to the grant-funded Deputy District/City Attorney(s).
- Transfer all pending DUI cases which qualify under this program so that vertical prosecution may begin.
- Develop a training protocol for law enforcement agencies within the county, and start a process of coordinating all reporting, investigation, and referral of cases that qualify under the grant.

## Media Requirements

- Issue a press release approved by the OTS PIO announcing the kick-off of the grant by November 15, but no sooner than October 1. The kick-off release must be approved by the OTS PIO and only distributed after the grant is fully signed and executed. If you are unable to meet the November 15 deadline to issue a kick-off press release, communicate reasons to your OTS coordinator and OTS PIO.

## Phase 2 - Program Operations:

- Prosecution will be on-going. The Deputy District/City Attorney(s) will review DUI cases from all law enforcement agencies in the county/city.
- Training for law enforcement personnel, District Attorney Investigators and other Deputy District/City Attorneys will begin and continue throughout the program.
- Prosecutor(s) will:
  - a) Work to secure convictions (as justice requires) and appropriate sentences that reflect the public safety risk posed by the offender.
  - b) Mentor trial attorneys on how to successfully try high-risk DUI offenders.
  - c) Host Quarterly Roundtable meetings with law enforcement personnel, TSRP and OTS Coordinator.
  - d) Work with the TSRP to obtain and deliver high quality DUI prosecution training programs to non-grant-funded prosecutors.
  - e) Work with the TSRP to obtain and deliver high quality DUI investigation, report writing and courtroom testimony training programs to law enforcement personnel (police officers, deputies, District Attorney Investigators and crime lab scientists).
  - f) Attend training programs that cover evaluation and preparation of DUI drug cases, marijuana, prescription drugs, drug trends, people's experts, defense challenges, cross-examination of experts, SFST evidence, jury considerations and toxicology evidence, and incorporate this information into DUI trainings for attorneys and law enforcement personnel.
  - g) Send the funded vertical prosecutor(s) and investigator to the NHTSA "Advanced Roadside Impaired Driving Enforcement" (ARIDE) 16 hour POST-Certified training, if not already trained. Note: The funded vertical prosecutor(s) and investigator(s) should achieve this objective within the first quarter of the grant.

## Media Requirements

- The following requirements are for all grant-related activities
- Send all media advisories, alerts, videos, graphics, artwork, posters, radio/PSA/video scripts, storyboards, digital and/or print educational materials for grant-related activities to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) for approval and copy your OTS coordinator. Optimum lead time would be 7 days before the scheduled release but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- The OTS PIO is responsible for the approval of the design and content of materials. The agency understands OTS PIO approval is not authorizing approval of budget expenditure or cost. Any cost approvals must come from the Coordinator.
- Pre-approval is not required when using any OTS-supplied template for media advisories, press releases, social media graphics, videos or posts, or any other OTS-supplied educational material. However, copy the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and your OTS coordinator when any material is distributed to the media and public, such as a press release, educational material, or link to social media post. The OTS-supplied kick-off press release templates and any kickoff press releases are an exception to this policy and require prior approval before distribution to the media and public.
- If an OTS-supplied template, educational material, social media graphic, post or video is substantially changed, the changes shall be sent to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) for approval and copy to your OTS Coordinator. Optimum lead time would be 7 days prior to the scheduled release date, but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- Press releases, social media posts and alerts on platforms such as NextDoor and Nixle reporting immediate and time-sensitive grant activities (e.g. enforcement operations, day of event highlights or announcements, event invites) are exempt from the OTS PIO approval process. The OTS PIO and your Coordinator should still be notified when the grant-related activity is happening (e.g. car seat checks, bicycle rodeos, community presentations, DUI checkpoints, etc.).
- Enforcement activities such as warrant and probation sweeps, court stings, etc. that are embargoed or could impact operations by publicizing in advance are exempt from the PIO approval process. However, announcements and results of activities should still be copied to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and your Coordinator with embargoed date and time or with "INTERNAL ONLY: DO NOT RELEASE" message in subject line of email.
- Any earned or paid media campaigns for TV, radio, digital or social media that are part of a specific grant objective, using OTS grant funds, or designed and developed using contractual services by a subgrantee, requires prior approval. Please send to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) for approval and copy your grant coordinator at least 3 business days prior to the scheduled release date.
- Social media posts highlighting state or national traffic safety campaigns (Distracted Driving Month, Motorcycle Safety Awareness Month, etc.), enforcement operations (DUI checkpoints, etc.), or any other grant-related activity such as Bicycle rodeos, presentations, or events, are highly encouraged but do not require prior approval.
- Submit a draft or rough-cut of all digital, printed, recorded or video material (brochures, posters, scripts, artwork, trailer graphics, digital graphics, social posts connected to an earned or paid media campaign grant objective) to the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator for approval prior to the production or duplication.
- Use the following standard language in all press, media, and printed materials, space permitting: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Space permitting, include the OTS logo on all grant-funded print materials, graphics and paid or earned social media campaign grant objective; consult your OTS Coordinator for specifics, format-appropriate logos, or if space does not permit the use of the OTS logo.
- Email the OTS PIO at [pio@ots.ca.gov](mailto:pio@ots.ca.gov) and copy your OTS Coordinator at least 21 days in advance, or when first confirmed, a short description of any significant grant-related traffic safety event or program, particularly events that are highly publicized beforehand with anticipated media coverage so OTS has sufficient notice to arrange for attendance and/or participation in the event. If unable to attend, email the OTS PIO and coordinator brief highlights and/or results, including any media coverage (broadcast, digital, print) of event within 7 days following significant grant-related event or program. Media and program highlights are to be reflected in QPRs.
- Any press releases, work plans, scripts, storyboards, artwork, graphics, videos or any educational or informational materials that received PIO approval in a prior grant year needs to be resubmitted for approval in the current grant year.
- Contact the OTS PIO or your OTS Coordinator for consultation when changes from any of the above requirements might be warranted.

### Phase 3 - Data Collection:

1. Prepare and submit invoice claims (due January 30, April 30, July 30, and October 30)
2. Prepare and submit Quarterly Performance Reports (QPR) (due January 30, April 30, July 30, and October 30)

- Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
- Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
- Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
- Collect, analyze and report statistical data relating to the grant goals and objectives. The following 19 data points will be collected:
  - Case number
  - Full Name
  - Arrest Date
  - DRE Classification called
  - Toxicology Screen
  - Toxicology Confirmation on THC
  - Toxicology Confirmation on THC Metabolite
  - Traffic Collision
  - Time of Arrest
  - Time of Blood Draw
  - Use of Warrant
  - Driver's License number
  - Date of Birth
  - Gender
  - Race
  - Alcohol
  - Checkpoint Case
  - Initial Charge
  - Case Disposition
  - Additional points can be added per request of Office of Traffic Safety

## Budget

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### Personnel Costs

**Positions** - If requesting hours for positions, enter them as straight time or overtime (for Enforcement Overtime, please use section below) and include the amount of hours that they will spend on grant operations. Example: One position getting paid 100% by the grant working a full year at \$41.00 per hour would be entered as Straight time, 2080 Units, \$41.00 Unit cost or Rate, and 100 Percent Paid by Grant. This gives a total of \$85,280.00 for the year.

**Benefits** – If requesting benefits for positions, enter all benefits as a separate line item for each position. Start the Item Name with the word 'Benefits', enter the corresponding salary or overtime total amount in the Unit Cost or Rate, and enter the Benefits Rate to have the system calculate Benefit Costs. (Unit Cost) X (Benefits Rate) = Benefit Costs. To properly relate benefits to the correct position use the Display Order, for example use 100.0 for the position Display Order and 100.1 for Benefits Display Order.

Display Order	Cost Category	Item Name	Position Type	Benefit Rate	Unit Cost or Rate	Units	Percent Paid by Grant	Calculated Cost to Grant
100.0	A. Personnel Costs	Deputy City Attorney II			\$132,749.60	1	100.00%	\$132,749.60
100.1	A. Personnel Costs	Benefits-Deputy City Attorney II		43.58%	\$132,749.60	1	100.00%	\$57,852.28
101.0	A. Personnel Costs	Deputy City Attorney II			\$145,507.36	1	100.00%	\$145,507.36
101.1	A. Personnel Costs	Benefits-Deputy City Attorney II		43.58%	\$145,507.36	1	100.00%	\$63,412.11
102.0	A. Personnel Costs	Deputy City Attorney I			\$102,394.56	1	100.00%	\$102,394.56
102.1	A. Personnel Costs	Benefits- Deputy City Attorney I		43.58%	\$102,394.56	1	100.00%	\$44,623.55
103.0	A. Personnel Costs	Deputy City Attorney I			\$97,690.32	1	100.00%	\$97,690.32
103.1	A. Personnel Costs	Benefits- Deputy City Attorney I		43.58%	\$97,690.32	1	100.00%	\$42,573.44
104.0	A. Personnel Costs	Administrative Coordinator I			\$84,859.20	1	100.00%	\$84,859.20
104.1	A. Personnel Costs	Benefits- Administrative Coordinator I		43.58%	\$84,859.20	1	100.00%	\$36,981.64

Display Order	Cost Category	Enforcement Activity	Item Name	Unit Cost or Rate	Units	Calculated Cost to Grant
Personnel Costs: \$808,644.06						

### Travel Expenses

Display Order	Cost Category	Item Name	Unit Cost or Rate	Units	Calculated Cost to Grant
200.0	B. Travel Expenses	In State Travel	\$8,000.00	1	\$8,000.00

Travel Expenses: \$8,000.00

### Contractual Services

Display Order	Cost Category	Item Name	Unit Cost or Rate	Units	Calculated Cost to Grant
300.0	C. Contractual Services	None	\$0.00	1	\$0.00

Contractual Services: \$0.00

### Equipment (must have Unit Cost of at least \$5000)

Display Order	Cost Category	Item Name	Unit Cost or Rate	Units	Calculated Cost to Grant
400.0	D. Equipment	None	\$0.00	1	\$0.00

Equipment: \$0.00

### Other Direct Costs

Display Order	Cost Category	Item Name	Unit Cost or Rate	Units	Calculated Cost to Grant
500.0	E. Other Direct Costs	None	\$0.00	1	\$0.00

Other Direct Costs: \$0.00

### Indirect Costs

Item Name should indicate the % and the Cost Category for Indirect Costs e.g. 15% of Salaries and Benefits. Use the Percent Paid by Grant for the Indirect Rate and the Unit Cost or Rate field to indicate the total amount for which Indirect Costs will be claimed. The system will calculate the Cost to Grant.

Display Order	Cost Category	Item Name	Indirect Rate	Amount Subject to Indirect	Calculated Cost to Grant
600.0	F. Indirect Costs	Indirect Costs- DCA II	16.94%	\$132,749.60	\$22,487.78
601.0	F. Indirect Costs	Indirect Costs- DCA II	16.94%	\$145,507.36	\$24,648.95
602.0	F. Indirect Costs	Indirect Costs- DCA I	16.94%	\$102,394.56	\$17,345.64
603.0	F. Indirect Costs	Indirect Costs- DCA I	16.94%	\$97,690.32	\$16,548.74
604.0	F. Indirect Costs	Indirect Costs- Administrative Coordinator	16.94%	\$84,859.20	\$14,375.15

Indirect Costs: \$95,406.26

Total Requested Funding: \$912,050.32

# Narrative Review

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## Review and update Narrative for Budget Items

Cost Category	Item	Narrative
A. Personnel Costs	Deputy City Attorney II	Vertical DUID Prosecutor
A. Personnel Costs	Benefits-Deputy City Attorney II	Benefits-Deputy City Attorney II
A. Personnel Costs	Deputy City Attorney II	Vertical DUID Prosecutor
A. Personnel Costs	Benefits-Deputy City Attorney II	Benefits-Deputy City Attorney II
A. Personnel Costs	Deputy City Attorney I	Vertical DUID Prosecutor
A. Personnel Costs	Benefits- Deputy City Attorney I	Benefits- Deputy City Attorney I
A. Personnel Costs	Deputy City Attorney I	Vertical DUID Prosecutor
A. Personnel Costs	Benefits- Deputy City Attorney I	Benefits- Deputy City Attorney I
A. Personnel Costs	Administrative Coordinator I	DUID Administrative Coordinator
A. Personnel Costs	Benefits- Administrative Coordinator I	Benefits- Administrative Coordinator I
B. Travel Expenses	In State Travel	Travel Budget for vertical prosecutors to attend training or conferences.
C. Contractual Services	None	None
D. Equipment	None	None
E. Other Direct Costs	None	None
F. Indirect Costs	Indirect Costs- DCA II	Indirect Cost- DCA II
F. Indirect Costs	Indirect Costs- DCA II	Indirect Costs- DCA II
F. Indirect Costs	Indirect Costs- DCA I	Indirect Costs- DCA I
F. Indirect Costs	Indirect Costs- DCA I	Indirect Costs- DCA II
F. Indirect Costs	Indirect Costs- Administrative Coordinator	Indirect Costs- Administrative Coordinator



## Upload Documents (Optional)

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Please try to include all information in the application itself, but if necessary, upload additional documents here

Document Name	Update Date/Time
Application Report 2021-01-26 18:26:52.pdf	1/26/2021 10:26 AM

## Evaluation, Support, and Submittal

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### Evaluation, Support, and Submittal

#### Method of Evaluation:

Using the data compiled during the grant, the Grant Director will complete the "Final Evaluation" section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

#### Administrative Support:

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

#### Total Requested Funding:

\$912,050.32