

OFFICE OF THE ATTORNEY GENERAL
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CALIFORNIA WITNESS RELOCATION AND ASSISTANCE PROGRAM



Annual Report to the Legislature
2017-2018

CALIFORNIA WITNESS RELOCATION AND ASSISTANCE PROGRAM



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Executive Summary

This report summarizes the California Witness Relocation and Assistance Program (CalWRAP) during the fiscal year (FY) reporting period of July 1, 2017 to June 30, 2018. During this reporting period, the CalWRAP managed 714 cases, including 534 cases that were opened in FY 2015-2016 and FY 2016-2017, and 180 cases that were opened in FY 2017-2018. The program closed 472 cases, leaving 242 active cases.

The 180 new cases provided services to 195 witnesses and their 324 family members. During their participation in the CalWRAP, the witnesses provided testimony against 338 violent offenders. There were 133 gang-related cases, 40 high-risk, 4 domestic violence, 2 human trafficking, and 1 narcotics trafficking. Homicide and attempted homicide were the principal charges in 68.3 percent of the cases. Assault accounted for 9.4 percent and the remaining 22.3 percent of cases involved robbery, threats, human trafficking, kidnapping, narcotics charges, criminal conspiracy, carjacking, rape, sexual assault, burglary, and felon with a firearm charges.

A total of \$3,113,000 was allocated to the CalWRAP for distribution to California district attorneys' offices in FY 2017-2018, a reduction of nearly 36 percent from the previous year. The program expended \$187,966 as of June 30, 2018, with the remaining balance available for district attorneys to support their cases.

The program processed 464 claims for reimbursement in FY 2017-2018, totaling \$3,204,101 in authorized witness expenditures to 25 California district attorneys' offices. The distributed funds were processed pursuant to the mandatory 25 percent match requirement.

The CalWRAP expended \$136,512 on administrative costs in FY 2017-2018, which included personnel resources and general operating expenses. CalWRAP staff continue to provide program training to local law enforcement personnel throughout California at Commission on Peace Officer Standards and Training (POST) certified training courses and as requested. The CalWRAP is currently administered by the California Department of Justice Division of Law Enforcement.

Case Statistics

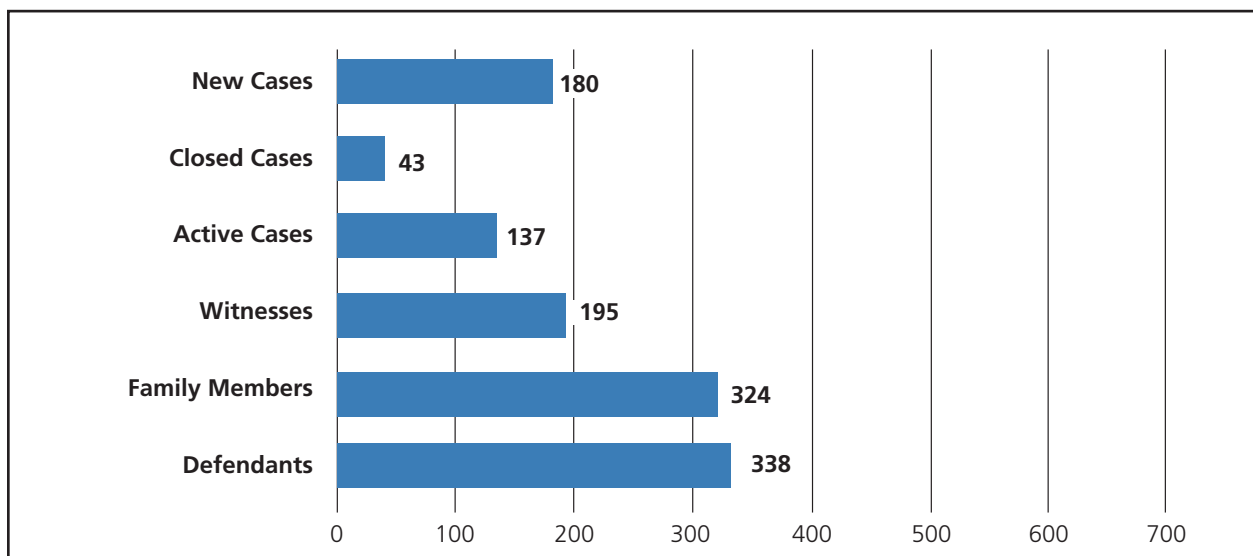
During the reporting period, the CalWRAP was responsible for the administration of three FY appropriations: Chapter 14/17 (FY 2017-2018), Chapter 23/16 (FY 2016-2017), and Chapter 10/15 (FY 2015-2016). The program provided service for 714 cases, including 534 previously-approved cases and 180 new cases. Through June 30, 2018, the program closed 472 cases, leaving 242 cases active (see Table 1).

Table 1 — Case Statistics for All Chapter Funds as of June 30, 2018

Chapter Fund	New or Existing Cases	Closed Cases	Active Cases	Witnesses	Family Members	Defendants
14/17	180	43	137	195	324	338
23/16	262	157	105	286	492	572
10/15	272	272	0	314	462	669
Totals	714	472	242	795	1,278	1,579

The 180 new CalWRAP cases approved during FY 2017-2018 (Chapter 14/17) provided for the relocation of 195 witnesses and 324 family members testifying against 338 defendants (see Chart 1).

Chart 1 — New Case Activity During FY 2017-2018 (Chapter 14/17)

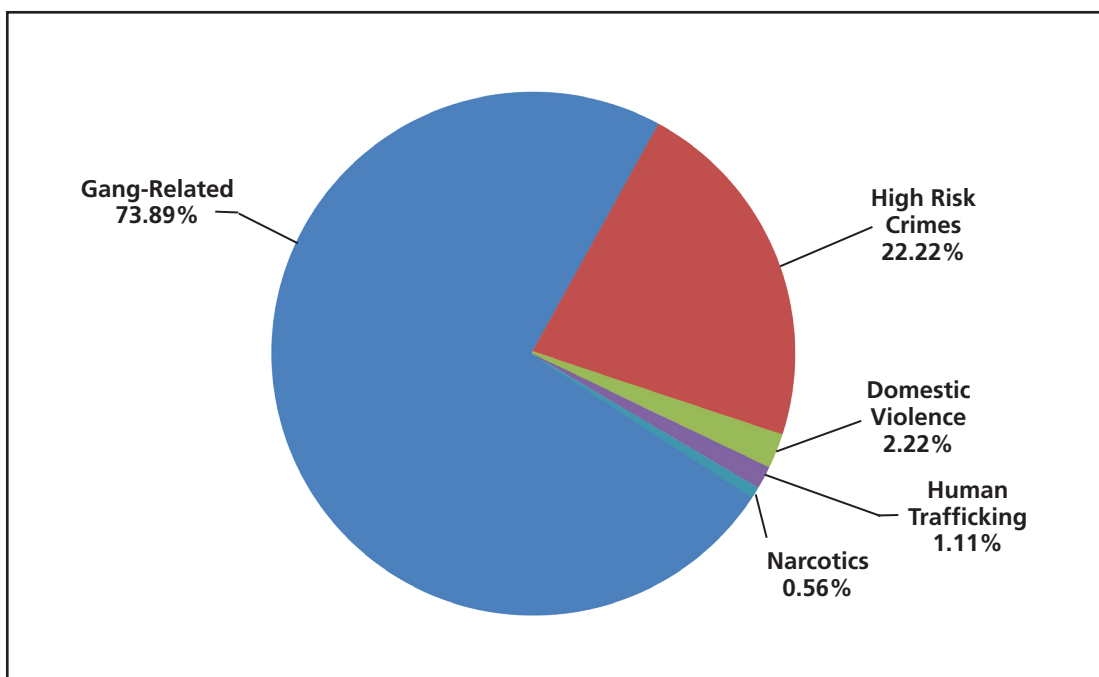


† Chapter 10/15 closed on June 30, 2018

Cases Submitted for Funding

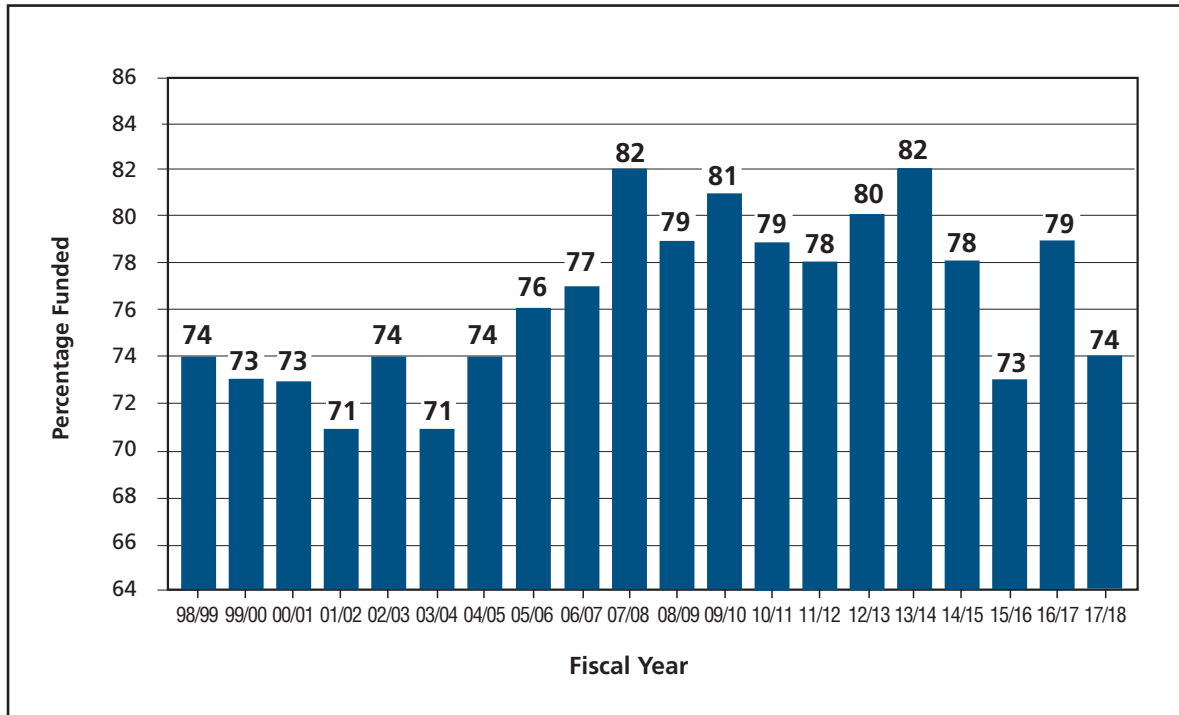
There were 180 new cases approved by the CalWRAP for the period of July 1, 2017, through June 30, 2018, which included: 133 gang-related cases (73.89 percent), 40 high-risk crimes cases (22.22 percent), four domestic violence cases (2.22 percent), two human trafficking cases (1.11 percent), and one narcotics trafficking-related case (0.56 percent). See Chart 2.

Chart 2 — Types of Cases Submitted for Funding (FY 2017-2018)



Since the inception of the program in January 1998, the percentage of gang-related cases has averaged 76 percent. Chart 3 depicts the actual percentage of gang-related cases approved from FY 1998-1999 to FY 2017-2018.

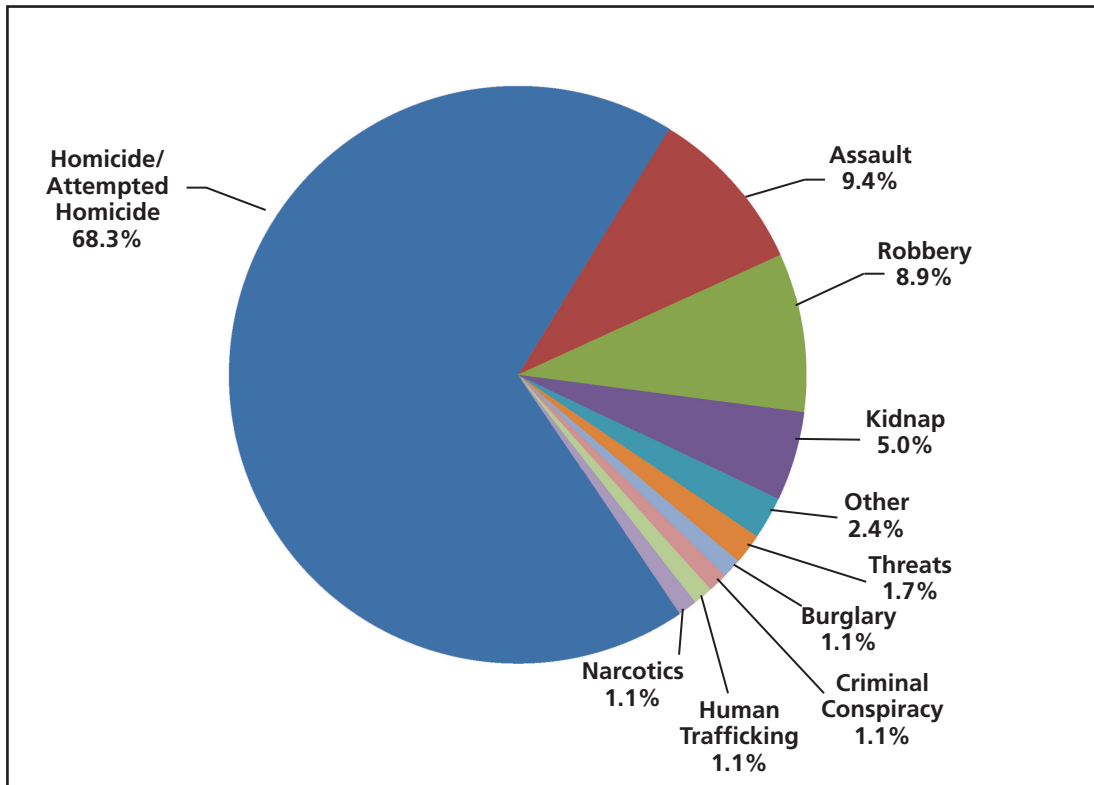
Chart 3 — Percentage of Gang-Related Cases Funded Each Fiscal Year



Charges Filed on Cases

During the reporting period for FY 2017-2018, homicide and attempted homicide charges accounted for 68.3 percent of the 180 new cases. The remaining charges filed included 9.4 percent for assault charges; 8.9 percent for robbery; 5 percent for kidnapping; 1.7 percent for threats, 1.1 percent for burglary; 1.1 percent for criminal conspiracy; 1.1 percent for human trafficking; 1.1 percent for narcotics charges; 0.6 percent for car jacking; 0.6 percent for felon with a firearm charges; 0.6 percent for rape; and the remaining 0.6 percent for sexual assault. Chart 4 is a visual representation of the types of charges filed on the approved cases.

Chart 4 — Types of Charges Filed on Cases (FY 2017-2018)*



*No fraud or home invasion cases in FY 2017-2018.

Local Assistance

The CalWRAP's local assistance appropriation (monies available to district attorneys' offices to support witness relocation cases) for FY 2017-2018 was \$3,113,000. As of June 30, 2018, \$187,966 was expended, and the remaining balance of \$2,925,034 was allocated to support existing cases. Table 2 illustrates the status of the Chapter 14/17 fund as well as the two prior FY funds: Chapters 23/16 (FY 2016-2017) and 10/15 (FY 2015-2016) that were also administered by the program during this reporting period. The Chapter 10/15 fund closed on June 30, 2018.

Table 2 — Local Assistance Balances as of June 30, 2018

Chapter Fund	Beginning Funds	Expended Funds	Remaining Balance
14/17 (FY 17-18)	\$3,113,000.00	\$187,965.81	\$2,925,034.19
23/16 (FY 16-17)	\$4,855,000.00	\$2,855,143.66	\$1,999,856.34
10/15 (FY 15-16)	\$4,855,000.00	\$4,296,015.58	\$558,984.42

* Although there is an available balance, these funds are for continued support of existing cases.

† Chapter 10/15 closed on June 30, 2018.

Reimbursements for Local Agencies

In FY 2017-2018, CalWRAP staff processed 464 reimbursement claims totaling \$3,204,101 submitted by 25 district attorneys' offices. The approved reimbursement claims reflect a monthly average of \$267,008 that was utilized for witness or sworn law enforcement expenses.

Table 3 reflects the total expenses approved for each active chapter fund during FY 2017-2018 and the total number of reimbursement claims processed for each year's appropriation. Reimbursements are for various services required by relocated witnesses and family members, such as temporary lodging, relocation expenses, storage of personal belongings, rent, meals, utilities, and incidentals. The program also reimburses expenses incurred for psychological counseling, medical care, new identities, vocational or occupational training, and travel costs for witnesses who must return to testify in criminal proceedings. Sworn law enforcement expenses may also be reimbursed for transporting or protecting witnesses. These expenses include travel, lodging, per diem, and required overtime.

Table 3 — Approved Reimbursement Claims by Chapter Fund (FY 2017-2018)

Chapter Fund	Amount Approved	Claims Processed
Chapter 14/17	\$187,965.81	48
Chapter 23/16	\$1,832,261.24	270
Chapter 10/15	\$1,183,874.41	146
Total	\$3,204,101.46	464

Table 4 on the following page lists the 25 district attorneys' offices that submitted reimbursement claims for witness expenses during FY 2017-2018, and the amount approved for each county. The \$3,204,101 in approved expenditures represents 464 reimbursement claims.

County Match Received by Program

The CalWRAP is mandated to report the amounts of funding sought by each agency, provided to each agency, and the county match. There were a total of 464 approved reimbursement claims. Table 4 reflects the 25 agencies that submitted match claims during FY 2017-2018.

Table 4 — Submitted Match Claims by Agency (FY 2017-2018)

District Attorney Office	Total Amount Submitted	Total Amount Approved	\$ Match Submitted
Alameda	\$7,627.00	\$7,627.00	\$4,559.30
Butte	\$25,543.10	\$25,543.10	\$8,962.39
Contra Costa	\$334,371.84	\$331,016.11	\$63,716.92
Fresno	\$23,468.39	\$23,468.39	\$18,045.67
Kern	\$83,870.92	\$83,870.92	\$23,023.42
Lake	\$5,396.24	\$5,396.24	\$3,175.50
Los Angeles	\$659,062.88	\$657,450.39	\$309,220.14
Madera	\$1,688.86	\$1,688.86	\$2,803.00
Monterey	\$289,987.62	\$289,987.62	\$26,562.92
Orange	\$36,177.04	\$36,177.04	\$19,785.88
Riverside	\$97,587.47	\$97,587.47	\$26,152.72
Sacramento	\$34,526.12	\$34,526.12	\$23,715.22
San Bernardino	\$14,061.56	\$14,061.56	\$5,852.88
San Diego	\$218,191.66	\$218,191.66	\$65,642.06
San Francisco	\$54,141.87	\$54,141.87	\$2,918.81
San Joaquin	\$37,198.95	\$37,198.95	\$25,197.21
San Mateo	\$412,162.18	\$412,162.18	\$98,399.68
Santa Barbara	\$66,810.66	\$66,810.66	\$17,886.42
Santa Clara	\$67,571.86	\$67,571.86	\$41,115.28
Santa Cruz	\$104,442.89	\$104,442.89	\$35,114.66
Solano	\$75,923.32	\$75,923.32	\$26,302.41
Stanislaus	\$113,920.06	\$113,920.06	\$8,551.62
Tulare	\$195,344.03	\$193,384.37	\$18,850.71
Ventura	\$236,811.06	\$236,811.06	\$46,049.02
Yolo	\$15,141.76	\$15,141.76	\$4,190.21
Grand Total	\$3,211,029.34	\$3,204,101.46	\$925,794.05

Testimonials

The program solicits information from local law enforcement agencies after the closure of their cases requesting comments or suggestions concerning the CalWRAP, its policies, or procedures. The comments received from these agencies during FY 2017-2018 contained many positive responses regarding the services of program staff, the witness services provided, and the continued need to provide these services to testifying witnesses. The following are a few of the testimonials received during the past year.

Contra Costa County District Attorney's Office

"We had hoped that CalWRAP funding was maintained at least at its past level. Unfortunately it was not, and this will have a negative impact on our office, and DA's Offices throughout California. CalWRAP is a key component in our office's prosecution of killers, particularly murders committed by gang members who routinely threaten and intimidate witnesses. Hopefully, this will be corrected in the near future.

"Once again CalWRAP's assistance proved key to our successful resolution of a case. We truly appreciate the program and its staff."

"...CalWRAP proved invaluable in our prosecution of a truly cold-blooded killer. ...Our community is much safer because of [the defendant's] imprisonment."

Monterey County District Attorney's Office

" [With] the new [funding] limits placed on the CalWRAP program, I have experienced witnesses hesitating or refusing to cooperate with law enforcement. Without CalWRAP, some of the violent criminals will not be brought to justice."

" The CalWRAP program was essential to our case that involved extortion and threats of death to multiple victims/witnesses. Without the program, the witnesses would not have had the confidence in their safety or their family's safety, and they would not have appeared in court. This particular witness was truly instrumental on the outcome of the case and testified multiple times over a period of many months. The witness was very grateful for the assistance and help he/she received during this long ordeal and painful court process."

San Mateo County District Attorney's Office

" The new budget is going to lower the prosecution rate for violent crimes significantly in cases where the victim or witness fears prosecution. With California having the highest gang population in the United States, that's tragic and the negative effects of that budget decision...will begin to show themselves in years to come. In the meantime, a lot of violent offenders will go free and commit more violent crimes. Worse, this simple fact won't show up in the crime statistics as being a direct result of the new CalWRAP budget. So, the Governor's Office will never know how bad that decision really was. I'm personally grateful for the ongoing assistance of the CalWRAP staff and all their future efforts to help us try to somehow make this new budget work."

Ventura County District Attorney's Office

"California legislatures have to recognize the importance of this program and fund it appropriately. In many gang cases, our victims and witnesses are commonly living a similar lifestyle to their accused. Our ability through CalWRAP to get them out of the "danger area" is the best chance we have to ensure their appearances [in court] and cooperation."

"Without the CalWRAP program a very dangerous gang member would not have been sentenced in this case. The victim was only willing to testify because of this program relocating him and his family to a safer location."

Other Program Items of Interest

Administrative Status

In FY 2017-2018, the CalWRAP expended \$136,512 on administrative costs, which include personnel resources and general operating expenses.

The program staffing was reduced to one full-time Associate Governmental Program Analyst.

Outreach and Training

During FY 2017-2018, CalWRAP staff participated in several training venues for law enforcement personnel. The lead analyst provided training on the policies and procedures of the program for the California District Attorney Investigators Association, and continued to provide training to local district attorneys' offices upon request.

