

OFFICE OF THE ATTORNEY GENERAL
XAVIER BECERRA

CALIFORNIA WITNESS RELOCATION AND ASSISTANCE PROGRAM



Annual Report to the Legislature
2018-2019

CALIFORNIA WITNESS RELOCATION AND ASSISTANCE PROGRAM



California Office of the Attorney General
Xavier Becerra
Attorney General

Division of Law Enforcement
Edward Medrano
Chief

Table of Contents

Executive Summary	1
Case Statistics	2
Table 1 — Case Statistics for All Chapter Funds as of June 30, 2019	2
Chart 1 — New Case Activity During FY 2018-2019 (Chapter 29/18)	2
Cases Submitted for Funding	3
Chart 2 — Types of Cases Submitted for Funding (FY 2018-2019)	3
Chart 3 — Percentage of Gang-Related Cases Funded Each Fiscal Year	4
Charges Filed on Cases	5
Chart 4 — Types of Charges Filed on Cases (FY 2018-2019)	5
Local Assistance	6
Table 2 — Local Assistance Balances as of June 30, 2019	6
Reimbursements for Local Agencies	7
Table 3 — Approved Reimbursement Claims by Chapter Fund (FY 2018-2019)	7
County Match Received by Program	8
Table 4 — Submitted Match Claims by Agency (FY 2018-2019)	8
Testimonials	9
Other Program Items of Interest	10
Administrative Status	10
Outreach and Training	10

Executive Summary

The California Witness Relocation and Assistance Program (CalWRAP) is administered by the Attorney General's Office pursuant to Penal Code Section 14022. The Attorney General reimburses prosecutorial offices for the services they provide to threatened witnesses. The program is currently funded out of the State Penalty Fund, which is administered by the Governor's Office of Emergency Services; and of the total budget allocated for CalWRAP each year, the Attorney General's Office directly receives no more than five percent to provide for the costs associated with administering the program.

This report summarizes CalWRAP activities during the fiscal year (FY) reporting period of July 1, 2018 to June 30, 2019. During this reporting period, the CalWRAP managed 591 cases, including 442 cases that were opened in FY 2016-2017 and FY 2017-2018, and 149 new cases that were opened in FY 2018-2019. The program closed 353 cases, leaving 238 active cases on June 30, 2019.

The 149 new cases provided services to 159 witnesses and their 249 family members. During their participation in the CalWRAP, the witnesses provided testimony against 355 violent offenders. There were 106 gang-related cases, 33 high-risk crimes, 7 human trafficking cases, 2 domestic violence crimes, and 1 narcotics trafficking case. Homicide and attempted homicide were the principal charges in 69.8 percent of the cases. Assault accounted for 8.1 percent, and the remaining 22.1 percent of cases involved robbery, threats, human trafficking, kidnapping, narcotics charges, criminal conspiracy, carjacking, rape, home invasion, and felon with a firearm charges.

A total of \$2,354,000 was allocated to the CalWRAP for distribution to California district attorneys' offices in FY 2018-2019, a reduction of nearly 25 percent from the previous year. The program expended \$130,895 of the \$2,354,000 as of June 30, 2019, with the remaining balance available for district attorneys to support the cases they opened during FY 2018-2019.

Utilizing all three active years of funding, the program processed 250 claims for reimbursement during this reporting period, totaling \$1,875,030 in authorized witness expenditures to 24 California district attorneys' offices. The distributed funds were processed pursuant to the mandatory 25 percent match requirement.

The CalWRAP expended \$122,961 on administrative costs in FY 2018-2019, which included personnel resources and general operating expenses. The CalWRAP analyst continues to provide program training to local law enforcement personnel throughout California as requested. The CalWRAP is currently administered by the California Department of Justice Division of Law Enforcement.

Case Statistics

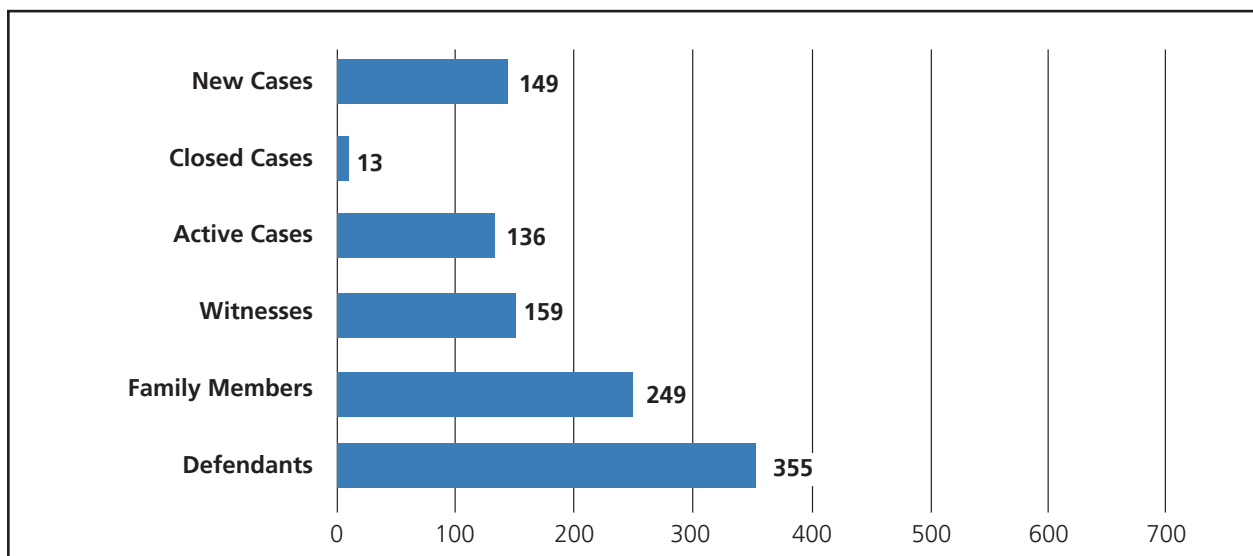
During the reporting period, the CalWRAP was responsible for the administration of three FY appropriations: Chapter 29/18 (FY 2018-2019), Chapter 14/17 (FY 2017-2018), and Chapter 23/16 (FY 2016-2017). The program provided service for 591 cases, including 442 previously-approved cases and 149 new cases. As of June 30, 2019, the program has closed 353 cases, leaving 238 cases active (see Table 1).

Table 1 — Case Statistics for All Chapter Funds as of June 30, 2019

Chapter Fund	New or Existing Cases	Closed Cases	Active Cases	Witnesses	Family Members	Defendants
29/18	149	13	136	159	249	355
14/17	280	78	102	195	324	338
23/16+	262	262	0	286	492	572
Totals	591	353	238	640	1,065	1,265

The 149 new CalWRAP cases approved during FY 2018-2019 (Chapter 29/18) provided for the relocation of 159 witnesses and 249 family members testifying against 355 defendants (see Chart 1).

Chart 1 — New Case Activity During FY 2018-2019 (Chapter 29/18)

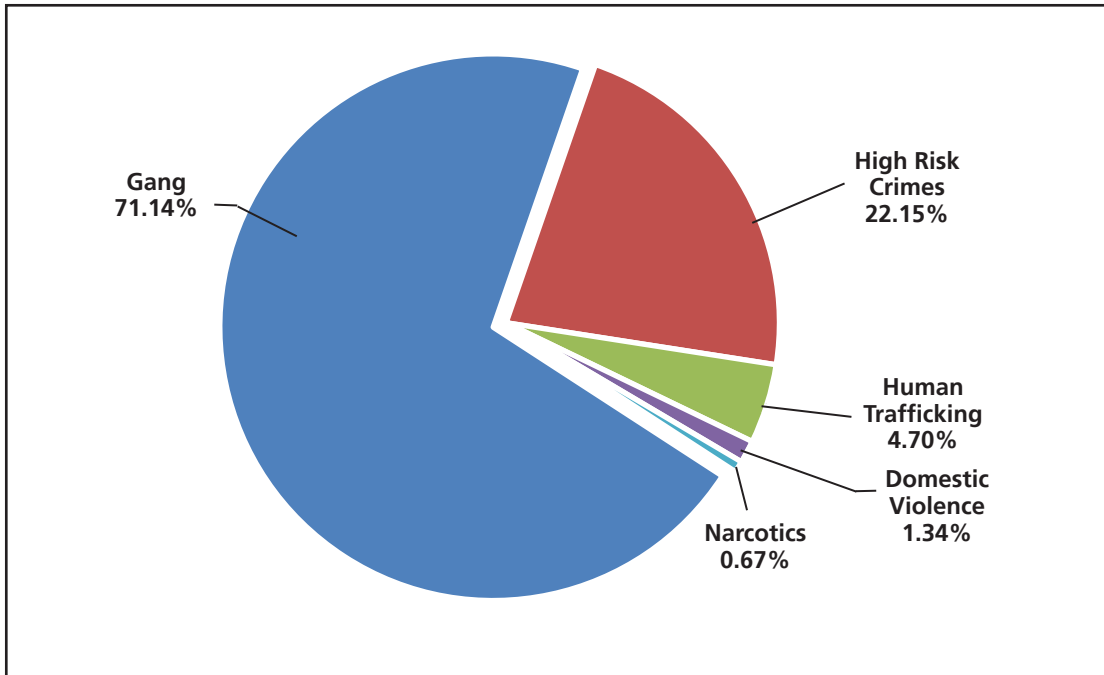


† Chapter 23/16 closed on June 30, 2019

Cases Submitted for Funding

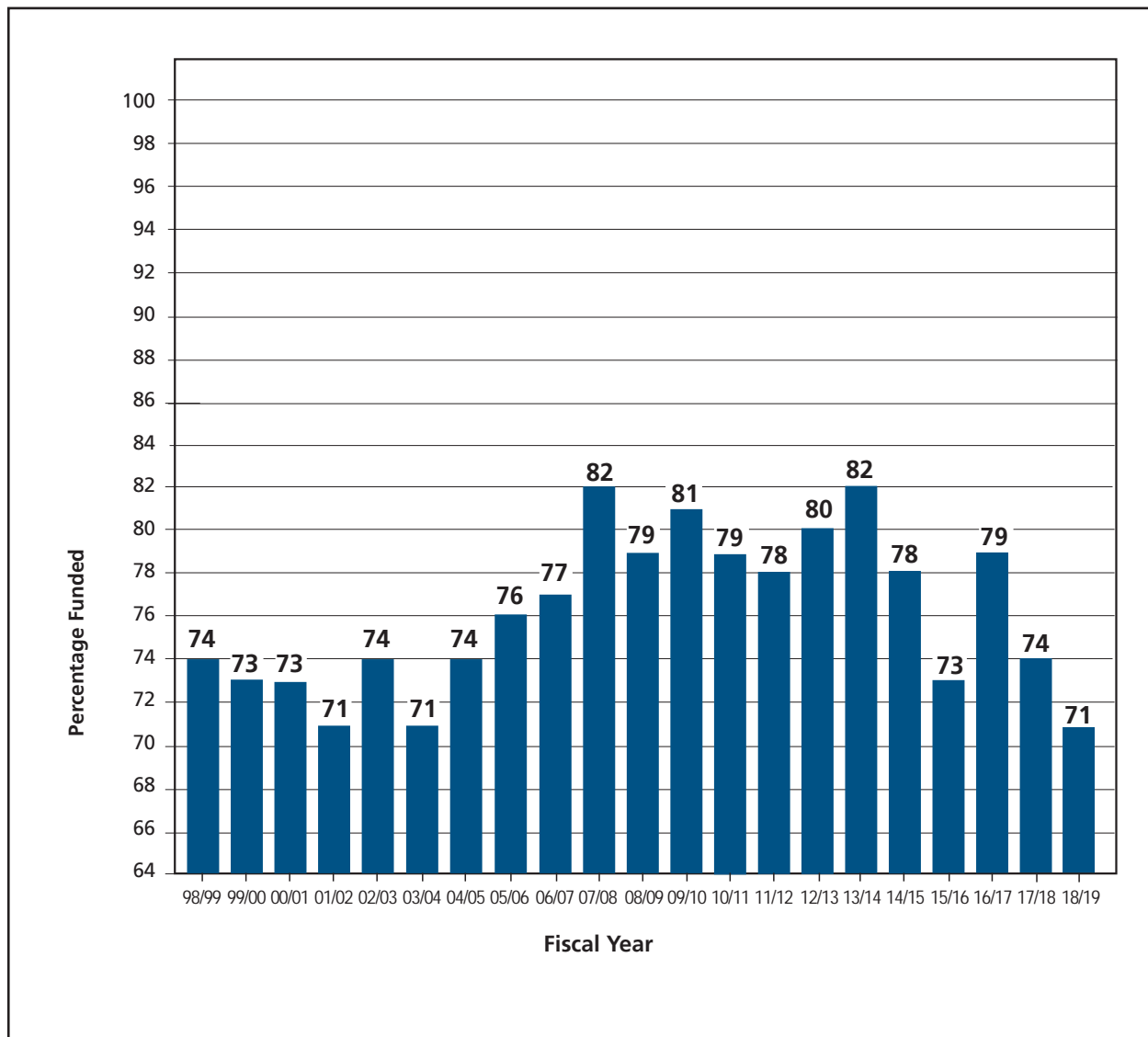
There were 149 new cases approved by the CalWRAP for the period of July 1, 2018, through June 30, 2019, which included: 106 gang-related cases (71.14 percent), 33 high-risk crimes cases (22.15 percent), seven human trafficking cases (4.70 percent), two domestic violence cases (1.34 percent), and one narcotics trafficking-related case (0.67 percent). (See Chart 2.)

Chart 2 — Types of Cases Submitted for Funding (FY 2018-2019)



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 between FY 1998-1999 and FY 2018-2019.

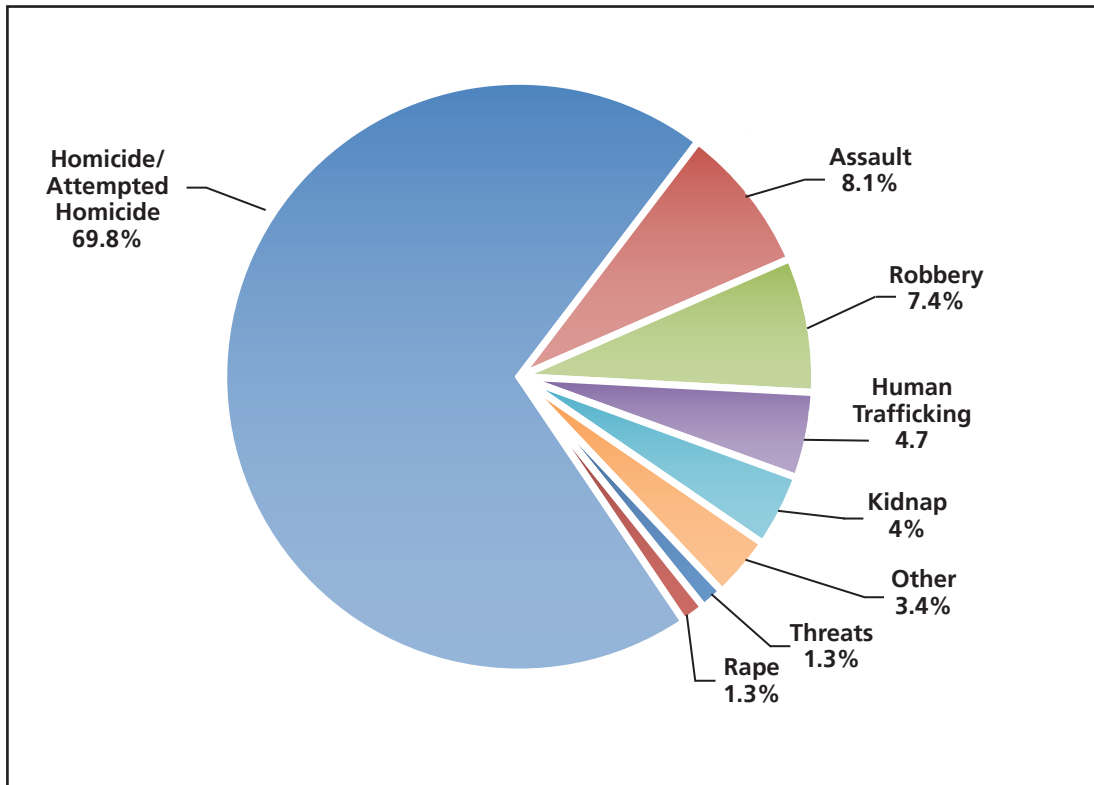
Chart 3 — Percentage of Gang-Related Cases Funded Each Fiscal Year



Charges Filed on Cases

During the reporting period for FY 2018-2019, homicide and attempted homicide charges accounted for 69.8 percent of the 149 new cases. The remaining charges filed included 8.1 percent for assault charges; 7.4 percent for robbery; 4.7 percent for human trafficking; 4 percent for kidnapping; 1.3 percent for threats, 1.3 percent for rape; 0.7 percent for criminal conspiracy; 0.7 percent for narcotics charges; 0.7 percent for car jacking; 0.7 percent for felon with a firearm charges; and the remaining 0.7 percent for home invasion. 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 2018-2019)*



*No fraud, sexual assault or burglary cases in FY 2018-2019.

Local Assistance

The CalWRAP's local assistance appropriation (monies available to district attorneys' offices to support witness relocation cases) for FY 2018-2019 was \$2,354,000. As of June 30, 2019, the program expended, \$130,895 and the remaining balance of \$2,223,105 was allocated for district attorneys to support the cases they opened during FY 2018-2019. Table 2 illustrates the status of the Chapter 29/18 fund as well as the two prior FY funds: Chapters 14/17 (FY 2017-2018) and 23/16 (FY 2016-2017) that were also administered by the program during this reporting period. The Chapter 23/16 fund closed on June 30, 2019.

Table 2 — Local Assistance Balances as of June 30, 2019

Chapter Fund	Beginning Funds	Expended Funds	Remaining Balance
29/18 (FY 18-19)*	\$2,354,000.00	\$130,894.83	\$2,223,105.17
14/17 (FY 17-18)	\$3,113,000.00	\$665,919.07	\$2,447,080.93
23/16 (FY 16-17)†	\$4,855,000.00	\$4,121,325.17	\$733,674.83

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

† Chapter 23/16 closed on June 30, 2019.

Reimbursements for Local Agencies

In FY 2018-2019, CalWRAP staff processed 250 reimbursement claims totaling \$1,875,030 submitted by 24 district attorneys' offices. The approved reimbursement claims reflect a monthly average of \$156,253 utilized for witness or sworn law enforcement expenses.

Table 3 reflects the total expenses approved for each active chapter fund during FY 2018-2019 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 2018-2019)

Chapter Fund	Amount Approved	Claims Processed
Chapter 29/18	\$130,894.83	32
Chapter 14/17	\$477,953.26	84
Chapter 23/16	\$1,266,181.51	134
Total	\$1,875,029.60	250

Table 4 on the following page lists the 24 district attorneys' offices that submitted reimbursement claims for witness expenses during FY 2018-2019, and the amount approved for each county. The \$1,875,030 in approved expenditures represents 250 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 250 approved reimbursement claims. Table 4 reflects the 24 agencies that submitted match claims during FY 2018-2019.

Table 4 — Submitted Match Claims by Agency (FY 2018-2019)

District Attorney Office	Total Amount Submitted	Total Amount Approved	\$ Match Submitted
Alameda	\$11,270.00	\$11,270.00	\$5,742.37
Butte	\$10,306.34	\$10,306.34	\$2,766.81
Contra Costa	\$85,831.68	\$85,088.81	\$15,150.10
Fresno	\$52,526.28	\$52,526.28	\$58,286.42
Kern	\$41,636.00	\$40,751.69	\$13,213.00
Lake	\$10,584.48	\$10,584.48	\$5,223.22
Los Angeles	\$782,608.28	\$782,044.37	\$316,141.92
Marin	\$9,450.00	\$9,450.00	\$3,825.90
Monterey	\$32,255.19	\$32,255.19	\$10,254.30
Orange	\$20,425.24	\$20,425.24	\$13,996.42
Riverside	\$60,390.16	\$60,089.36	\$14,823.91
Sacramento	\$14,513.90	\$14,513.90	\$16,223.61
San Bernardino	\$23,386.33	\$23,386.33	\$23,860.00
San Diego	\$207,187.47	\$207,187.47	\$62,275.29
San Francisco	\$24,295.07	\$24,295.07	\$2,714.07
San Joaquin	\$22,716.57	\$22,716.57	\$11,330.81
San Mateo	\$75,814.19	\$75,814.19	\$18,953.55
Santa Barbara	\$19,158.04	\$19,158.04	\$10,227.88
Santa Clara	\$88,947.31	\$88,329.47	\$34,548.71
Santa Cruz	\$60,154.83	\$60,154.83	\$27,685.90
Solano	\$67,284.68	\$67,284.68	\$29,627.35
Stanislaus	\$4,950.00	\$4,950.00	\$442.70
Tulare	\$53,685.24	\$53,685.24	\$10,314.25
Ventura	\$98,762.05	\$98,762.05	\$7,941.88
Grand Total	\$1,878,139.33	\$1,875,029.60	\$715,570.37

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 its procedures. The comments received from these agencies during FY 2018-2019 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

"The Program continues to meet all of our needs, and we truly appreciate it."

"CalWRAP came through once again for our office. In this case, a dangerous killer has been convicted of Murder with enhancements which will likely mean he will spend the rest of his life in prison. CalWRAP allowed us to maintain the key witness in a relatively safe place. As a result of this, he testified both at the defendant's Preliminary Examination as well as at the Jury Trial. His testimony was credible, and crucial to the prosecution. Without CalWRAP, it would have been extremely difficult to convict this killer. We really appreciate all the Program and its staff does for all of us."

Monterey County District Attorney's Office

"Extremely valuable program for successful prosecution."

San Mateo County District Attorney's Office

"CalWRAP is a great program and the program analyst(s) are fantastic. They make themselves available for that "out of the box" question and they always seem to know the answers."

Ventura County District Attorney's Office

"Thank you for your assistance."

Other Program Items of Interest

Administrative Status

In FY 2018-2019, the CalWRAP expended \$122,961 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 2018-2019, CalWRAP staff participated in several training venues for law enforcement personnel. The lead analyst also provided training on the policies and procedures of the program for local district attorneys' offices upon request.

