

OFFICE OF THE ATTORNEY GENERAL
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CALIFORNIA WITNESS RELOCATION AND ASSISTANCE PROGRAM



Annual Report to the Legislature
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CALIFORNIA *WITNESS* RELOCATION AND *ASSISTANCE* PROGRAM



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Executive Summary

The California Witness Relocation and Assistance Program (CalWRAP) is administered by the Attorney General's Office pursuant to California Penal Code section 14022. The Attorney General's Office reimburses state and local agencies for approved services provided to threatened witnesses. The program is currently funded from the State Penalty Fund, which is administered by the Governor's Office of Emergency Services.

This report summarizes the CalWRAP activities during the fiscal year (FY) reporting period of July 1, 2021 to June 30, 2022. During the reporting period, the CalWRAP managed the administration of three fiscal year appropriations: Chapter 21/21 (FY 2021-2022), Chapter 06/20 (FY 2020-2021), and Chapter 23/19 (FY 2019-2020). The program provided services for 341 cases, including 263 existing cases and 78 new cases. The program closed 236 cases, leaving 105 active cases as of June 30, 2022.

The 78 new cases provided services to 86 witnesses and 132 of their family members and friends. During their participation in the CalWRAP, the witnesses provided testimony against 143 violent offenders. Types of cases submitted and approved for CalWRAP services included: 59 gang-related cases, 11 high-risk crimes cases, 4 domestic violence cases, 2 human trafficking cases, 1 narcotics trafficking-related case, and 1 organized crime case. Homicide and attempted homicide accounted for 70 percent of the primary charges filed against defendants. Assault accounted for 9 percent, and the remaining 21 percent of the primary charges filed involved threats, robbery, sexual assault, human trafficking, rape, kidnapping, and criminal conspiracy.

In FY 2021-2022, \$2,354,000 was allocated to the CalWRAP for distribution to California state and local agencies. The program distributed \$237,997 of the \$2,354,000 as of June 30, 2022, with the remaining balance available for an additional two-year period to support the cases opened during FY 2021-2022.

Utilizing all three years of appropriations, the program processed 254 claims for reimbursement during this reporting period, totaling \$1,584,669 in authorized witness expenditures to 23 California agencies. Pursuant to Penal Code section 14027(b), agencies are required to apply a 25 percent match for reimbursement claims.

The CalWRAP expended \$139,000 on administrative costs in FY 2021-2022, which included personnel resources and general operating expenses. The CalWRAP analyst continues to provide program training to state and local agencies 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 fiscal year appropriations: Chapter 21/21 (FY 2021-2022), Chapter 06/20 (FY 2020-2021), and Chapter 23/19 (FY 2019-2020). The program provided service for 341 cases, including 263 existing cases and 78 new cases. As of June 30, 2022, the program has closed 236 cases, leaving 105 cases active (see Table 1).

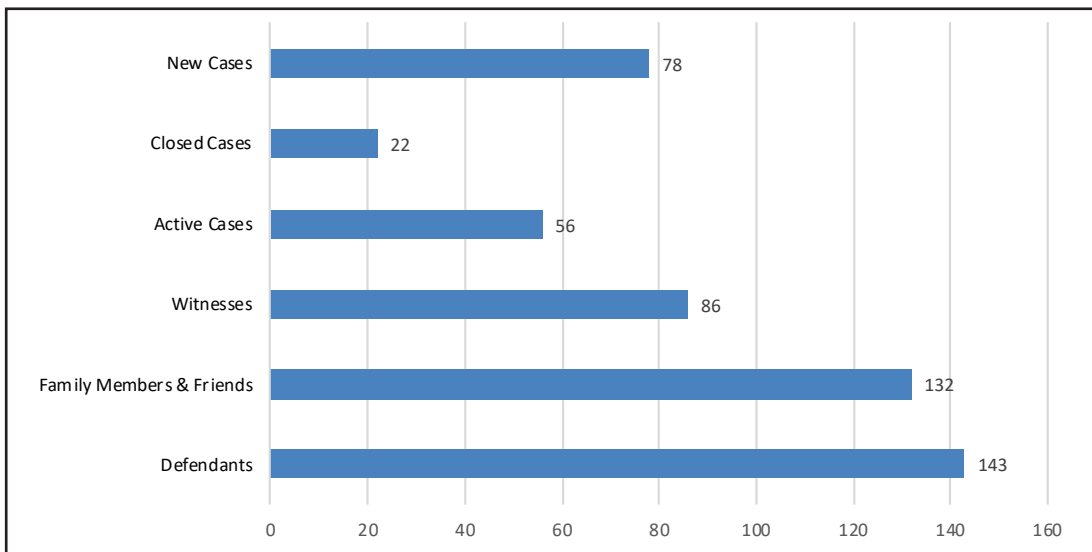
Table 1 — Case Statistics for All Chapter Funds as of June 30, 2022

Chapter Fund	New or Existing Cases	Closed Cases	Active Cases	Witnesses	Family Members & Friends	Defendants
21/21	78	22	56	86	132	143
06/20	114	65	49	124	161	204
23/19*	149	149	0	172	213	265
Totals	341	236	105	382	506	612

* Chapter 23/19 closed on June 30, 2022.

The 78 new CalWRAP cases approved during FY 2021-2022 (Chapter 21/21) provided for the relocation of 86 testifying witnesses and 132 of their family members and friends. The witnesses testified in cases brought against 143 defendants (see Chart 1).

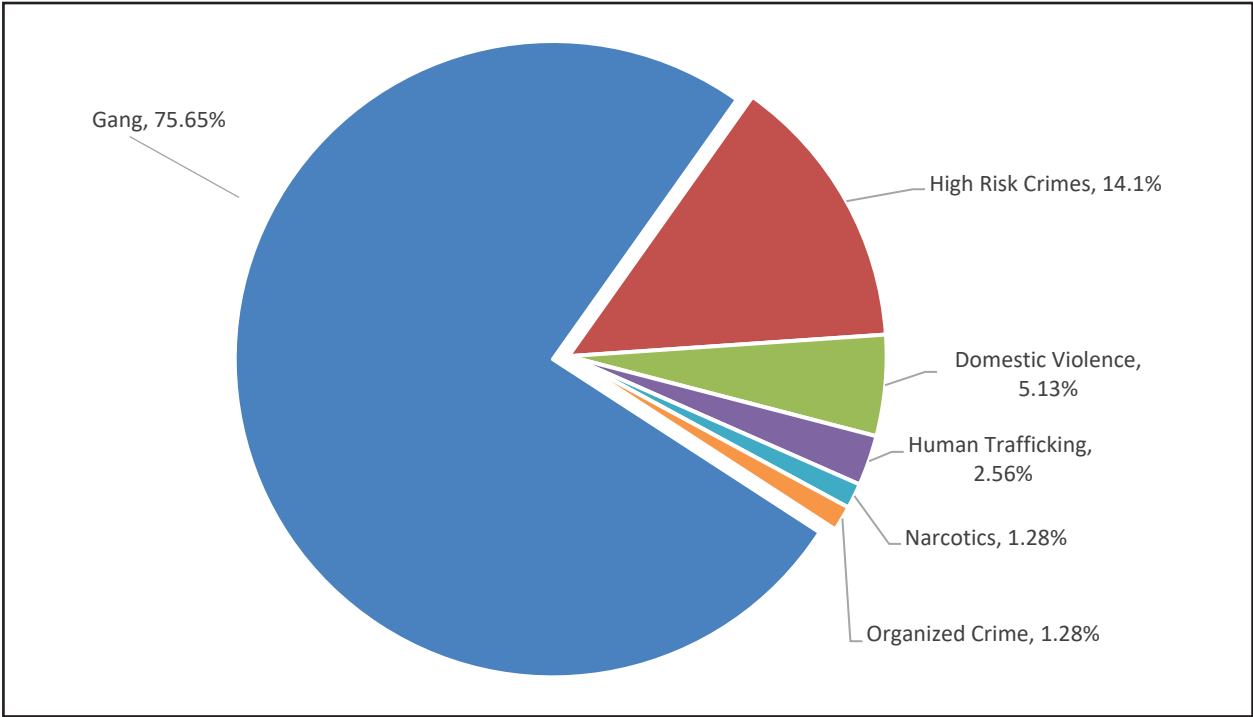
Chart 1 — New Case Activity During FY 2021-2022 (Chapter 21/21)



Cases Submitted for Funding

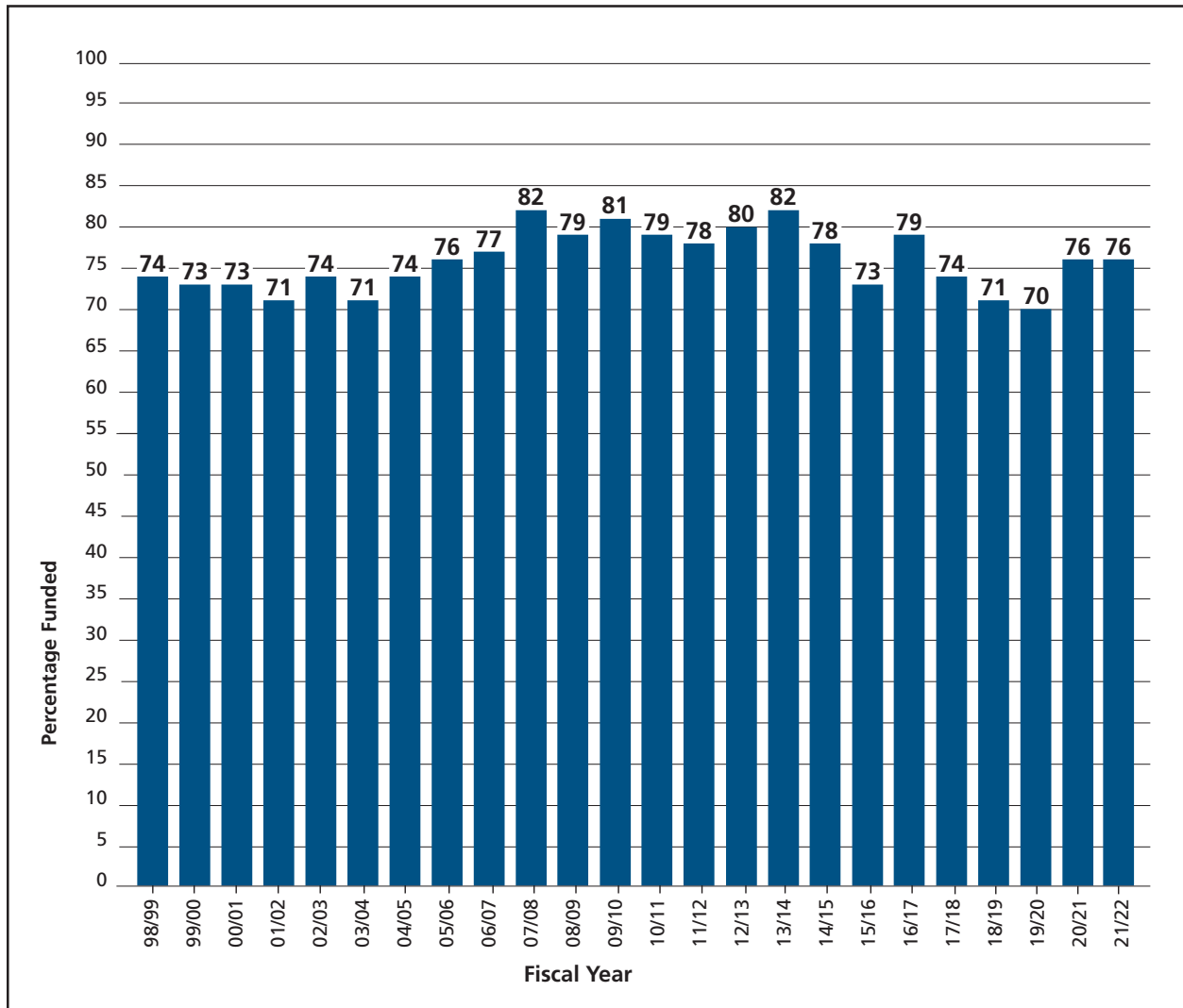
There were 78 new cases submitted and approved by the CalWRAP for the period of July 1, 2021, through June 30, 2022. Types of cases approved included: 59 gang-related cases (75.65 percent), 11 high-risk crimes cases (14.1 percent), 4 domestic violence cases (5.13 percent), 2 human trafficking cases (2.56 percent), 1 narcotics trafficking-related case (1.28 percent), and 1 organized crime case (1.28 percent). (See Chart 2.)

Chart 2 — Types of Cases Submitted and Approved for Funding (FY 2021-2022)



Since the inception of the program in January of 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 2021-2022.

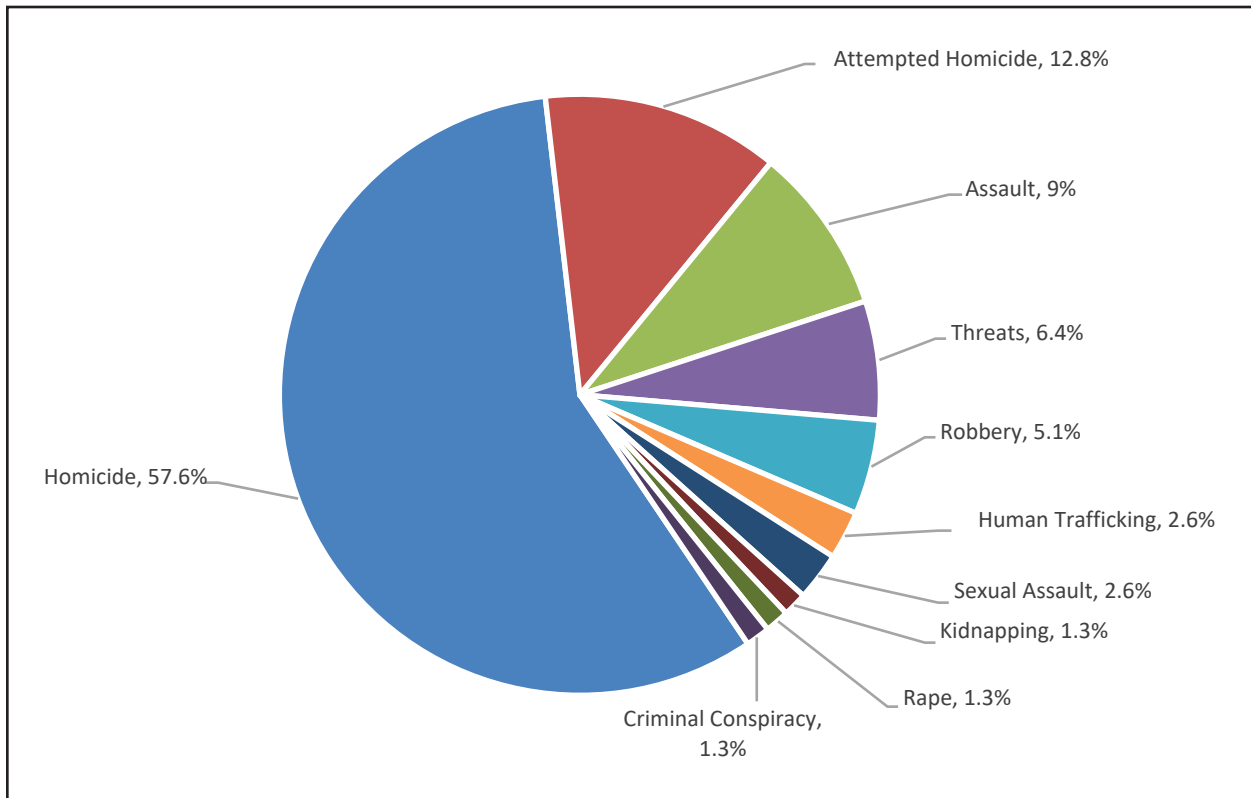
Chart 3 — Percentage of Gang-Related Cases Funded Each Fiscal Year



Charges Filed on Cases

During the FY 2021-2022 reporting period, homicide and attempted homicide charges accounted for 70.4 percent of the primary charges filed on the 78 approved cases. The remaining primary charges filed included: 9 percent for assault charges, 6.4 percent for threats, 5.1 percent for robbery, 2.6 percent for human trafficking, 2.6 percent for sexual assault, 1.3 percent for kidnapping, 1.3 percent for rape, and the remaining 1.3 percent for criminal conspiracy. 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 2021-2022)



Local Assistance

The CalWRAP's local assistance appropriation (funds available to state and local agencies to support witness relocation cases) for FY 2021-2022 was \$2,354,000. As of June 30, 2022, the program distributed \$237,997 and the remaining balance of \$2,116,003 is available for agencies to support the cases they opened during FY 2021-2022 for a period of two additional years. Table 2 illustrates the status of the Chapter 21/21 fund as well as the two prior FY funds, Chapters 06/20 (FY 2020-2021) and 23/19 (FY 2019-2020), that were also administered by the program during this reporting period. The Chapter 23/19 fund closed on June 30, 2022.

Table 2 — Local Assistance Balances as of June 30, 2022

Chapter Fund	Beginning Funds	Expended Funds	Remaining Balance
21/21 (FY 21-21)	\$2,354,000.00	\$237,996.70	\$2,116,003.30
06/20 (FY 20-21)*	\$2,354,000.00	\$986,678.81	\$1,367,321.19
23/19 (FY 19-20)†	\$2,354,000.00	\$1,697,640.15	\$656,359.85

* Although there is an available balance, the funds have been encumbered for future continued support for existing cases attributed to this fiscal year.

† Chapter 23/19 closed on June 30, 2022.

Reimbursements to Agencies

In FY 2021-2022, the CalWRAP staff processed 254 reimbursement claims totaling \$1,584,669 submitted by 23 state and local agencies. The approved reimbursement claims reflect a monthly average of \$132,056 utilized for witness or sworn law enforcement expenses.

Table 3 reflects the total expenses approved for each active chapter fund during FY 2021-2022 and the total number of reimbursement claims processed for each year's appropriation. Reimbursements support various services required by relocated witnesses and their family members and friends, 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 2021-2022)

Chapter Fund	Amount Approved	Claims Processed
Chapter 21/21	\$237,996.70	43
Chapter 06/20	\$665,970.19	132
Chapter 23/19	\$680,702.20	79
Total	\$1,584,669.09	254

Table 4 on the following page lists the 23 agencies that submitted reimbursement claims for witness expenses during FY 2021-2022, and the amount approved for each county.

25 Percent Match

The CalWRAP is mandated to report the amount of funding sought by each agency, provided to each agency, and the county match value. There were a total of 254 approved reimbursement claims in FY 2021-2022. Table 4 reflects the 23 agencies that submitted match claims during this period.

Table 4 — Submitted Match Value by Agency (FY 2021-2022)

Agency	Total Amount Submitted	Total Amount Approved	Match Value ¹
Alameda	\$23,280.00	\$23,280.00	\$8,222.57
Butte	\$5,218.76	\$5,218.76	\$3,190.61
Contra Costa	\$68,975.00	\$68,975.00	\$15,494.78
CA Dept. of Justice	\$18,897.06	\$18,897.06	\$130,344.33 ²
El Dorado	\$9,244.59	\$9,244.59	\$3,979.04
Fresno	\$113,556.20	\$113,556.20	\$37,516.59
Kern	\$90,079.80	\$90,079.80	\$16,440.02
Los Angeles	\$306,808.21	\$306,808.21	\$214,029.60
Merced	\$21,273.20	\$21,273.20	\$5,791.84
Monterey	\$62,821.60	\$62,821.60	\$7,029.06
Orange	\$36,179.56	\$36,179.56	\$9,835.40
Riverside	\$40,273.13	\$40,273.13	\$11,935.74
Sacramento	\$3,281.20	\$3,281.20	\$15,805.76
San Bernardino	\$1,245.77	\$1,245.77	\$2,887.20
San Diego	\$313,228.05	\$313,228.05	\$96,703.76
San Francisco	\$32,108.51	\$32,108.51	\$10,453.49
San Joaquin	\$59,242.55	\$59,242.55	\$14,034.15
San Mateo	\$13,889.00	\$13,889.00	\$3,684.47
Santa Barbara	\$39,729.62	\$39,729.62	\$12,457.56
Santa Clara	\$140,087.73	\$140,087.73	\$30,627.65
Santa Cruz	\$177,017.72	\$177,017.72	\$128,193.25
Solano	\$4,821.83	\$4,821.83	\$1,526.50
Sutter	\$3,410.00	\$3,410.00	\$852.50
Grand Total	\$1,584,669.09	\$1,584,669.09	\$781,035.87

¹Effective August 24, 2007, the California Legislature amended and codified section 14027(b) of the California Penal Code to impose a 25 percent match requirement on all new cases. Agencies may submit a match amount that is more than 25 percent of the total reimbursement claim. However, if the match amount submitted is less than 25 percent of the total reimbursement claim in the first 30 days a CalWRAP case is active, the reimbursement claim may be reduced to meet the 25 percent match.

²The California Department of Justice submitted a match value of \$130,344.33 which was well above the 25 percent match requirement. The minimum required match value for the agency's active CalWRAP cases was \$4,724.27.

Testimonials

Following the closure of a case, the CalWRAP program staff solicits information from state and local agencies requesting comments or suggestions concerning the program, its policies, and its procedures. The comments received from these agencies during FY 2021-2022 included many positive responses regarding the services administered by 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 over the past year.

Monterey County District Attorney's Office

"The CalWRAP representative has always been responsive. Thank you!"

Santa Cruz District Attorney's Office

"CalWRAP is an amazing program that has enabled us to get witnesses to testify in cases where they otherwise would not have due to threats, intimidation, or fear of retaliation, especially in gang cases, homicide cases, and domestic violence cases. CalWRAP is a vital component in the District Attorney's office mission to promote and ensure public safety through ethical and just prosecution."

"CalWRAP is a very useful program and a good tool to use in order to get good convictions, especially in gang related cases and gang-homicide cases."

"Excellent program. I have been using CalWRAP for about 15 years!"

Additional Program Items of Interest

Administrative Status

In FY 2021-2022, the CalWRAP expended \$139,000 on administrative costs, which include personnel resources and general operating expenses.

The program staff consists of one full-time Associate Governmental Program Analyst.

Outreach and Training

The analyst continuously provided training on the policies and procedures of the program for agencies upon request.

The CalWRAP regularly contacts agencies statewide that have not recently utilized the program to provide information on funding opportunities for their current or future cases.

During the 2022 National Crime Victims' Rights Week and Sexual Assault Awareness Month, the CalWRAP provided all District Attorney's offices statewide a copy of the CalWRAP Annual Report to the Legislature for fiscal year 2020-2021 to enhance awareness of the program and provide current funding information.