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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 prosecutorial offices 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, 2019 to June 30, 2020. During this reporting period, the CalWRAP managed 478 cases, including 329 cases that were opened in FY 2017-2018 and FY 2018-2019, and 149 new cases that were opened in FY 2019-2020. The program closed 284 cases, leaving 194 active cases on June 30, 2020.

The 149 new cases provided services to 172 witnesses and their 213 family members. During their participation in the CalWRAP, the witnesses provided testimony against 263 violent offenders. There were 105 gang-related cases, 32 high-risk crimes cases, 6 human trafficking cases, 5 domestic violence cases, and 1 narcotics trafficking case. Homicide and attempted homicide accounted for 68 percent of the case charges. Assault accounted for 10 percent, and the remaining 22 percent of the cases involved kidnapping, threats, human trafficking, robbery, rape, criminal conspiracy, and sexual assault.

A total of \$2,354,000 was allocated to the CalWRAP for distribution to California district attorneys' offices in FY 2019-2020. The program distributed \$377,131 of the \$2,354,000 as of June 30, 2020, with the remaining balance available for district attorneys' to support the cases they opened during FY 2019-2020 for an additional two-year period.

Utilizing all three active years of funding, the program processed 291 claims for reimbursement during this reporting period, totaling \$1,735,560 in authorized witness expenditures to 22 California district attorneys' offices. Pursuant to Penal Code section 14027(b), local agencies are required to apply a 25 percent match for reimbursement claims.

The CalWRAP expended \$129,000 on administrative costs in FY 2019-2020, 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 fiscal year appropriations: Chapter 23/19 (FY 2019-2020), Chapter 29/18 (FY 2018-2019), and Chapter 14/17 (FY 2017-2018). The program provided service for 478 cases, including 329 previously-approved cases and 149 new cases. As of June 30, 2020, the program has closed 284 cases, leaving 194 cases active (see Table 1).

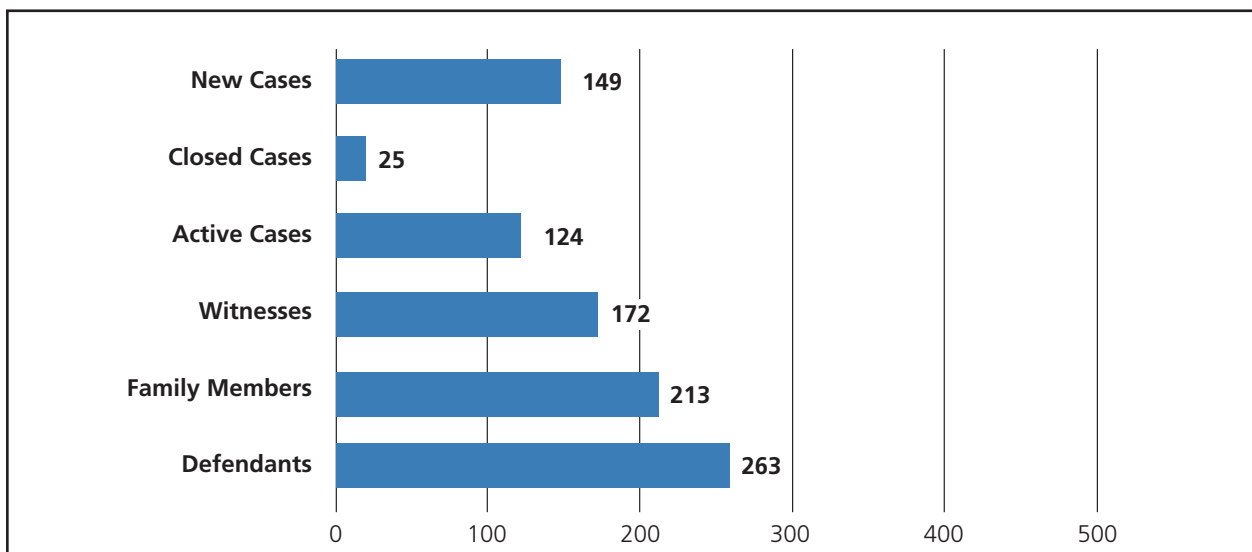
Table 1 — Case Statistics for All Chapter Funds as of June 30, 2020

Chapter Fund	New or Existing Cases	Closed Cases	Active Cases	Witnesses	Family Members	Defendants
23/19	149	25	124	172	213	263
29/18	149	79	70	159	246*	355
14/17†	180	180	0	195	324	338
Totals	478	284	194	526	783	956

* The 2018-2019 Annual Report incorrectly listed 249 family members that participated in the CalWRAP. The correct number of family members for 2018-2019 was 246.

The 149 new CalWRAP cases approved during FY 2019-2020 (Chapter 23/19) provided for the relocation of 172 testifying witnesses and 213 family members. The witnesses testified in cases brought against 263 defendants (see Chart 1).

Chart 1 — New Case Activity During FY 2019-2020 (Chapter 23/19)

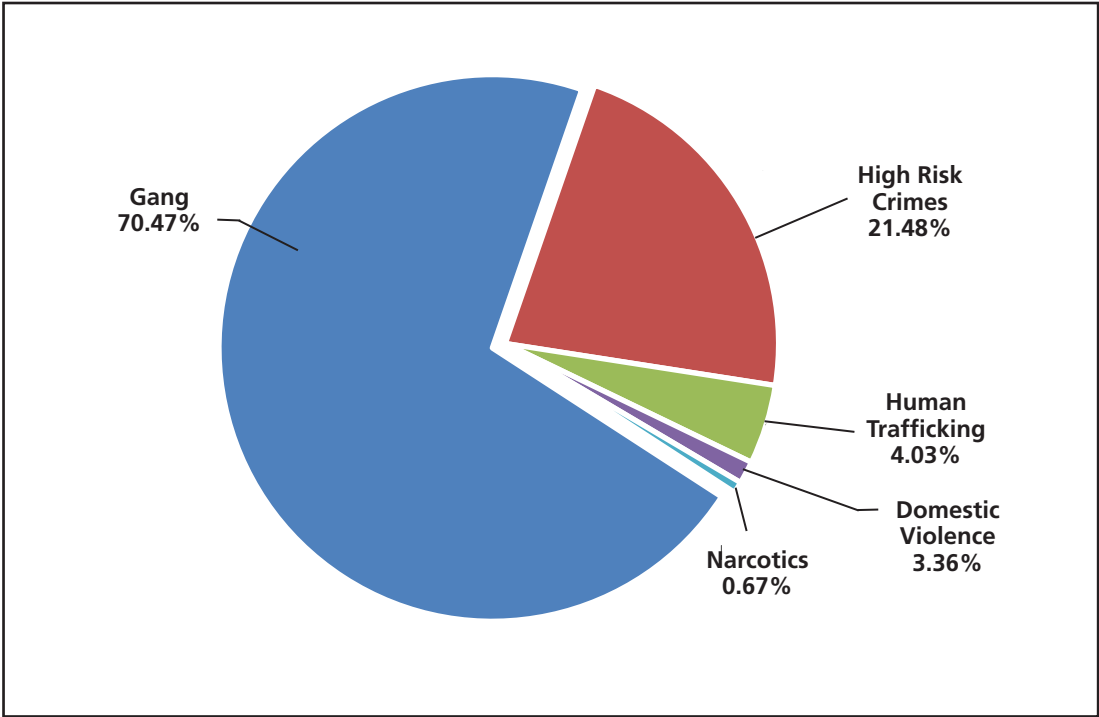


† Chapter 14/17 closed on June 30, 2020

Cases Submitted for Funding

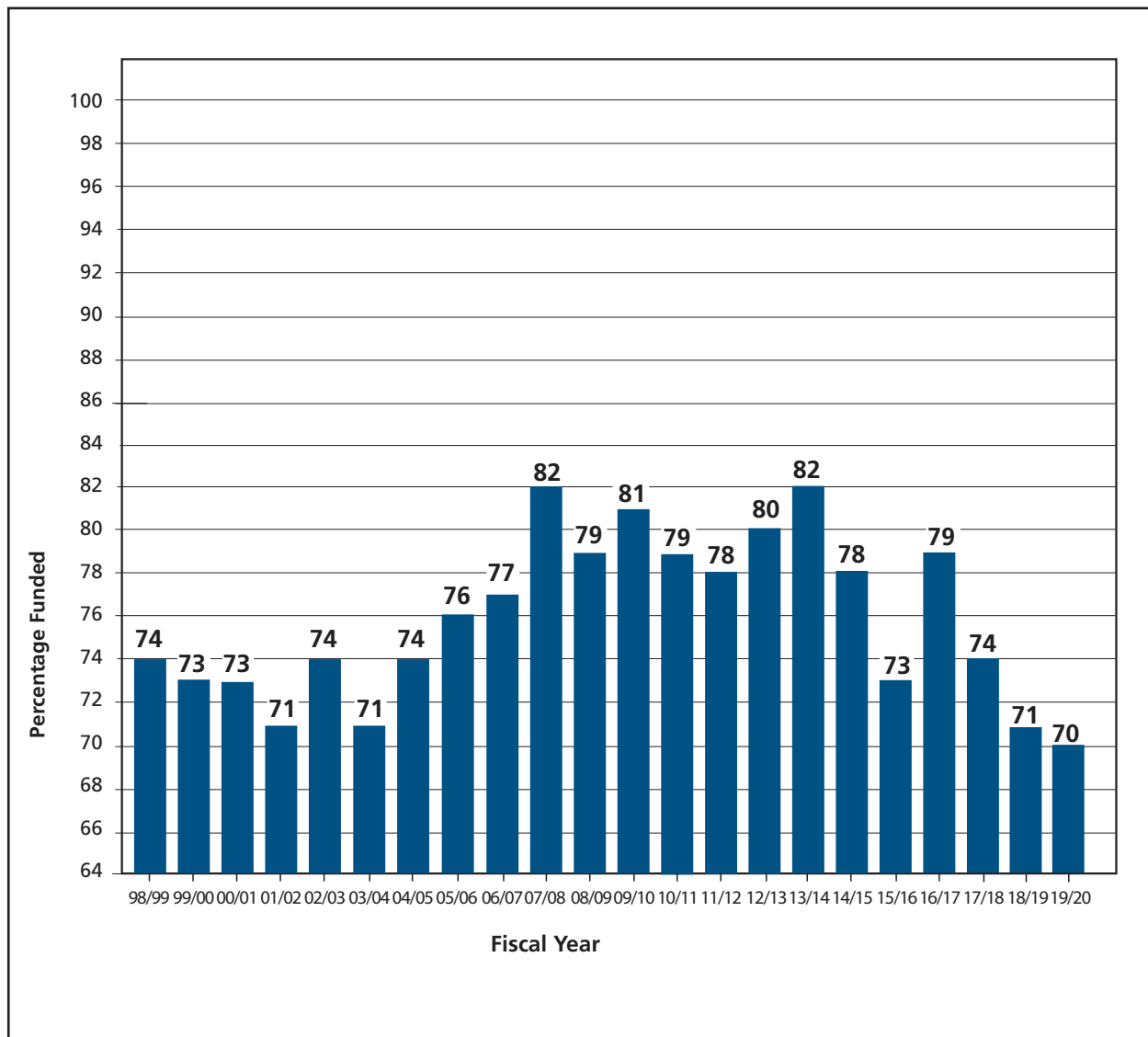
There were 149 new cases submitted and approved by the CalWRAP for the period of July 1, 2019, through June 30, 2020, which included: 105 gang-related cases (70.47 percent), 32 high-risk crimes cases (21.48 percent), 6 human trafficking cases (4.03 percent), 5 domestic violence cases (3.36 percent), and 1 narcotics trafficking-related case (0.67 percent). (See Chart 2.)

Chart 2 — Types of Cases Submitted and Approved for Funding (FY 2019-2020)



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 2019-2020.

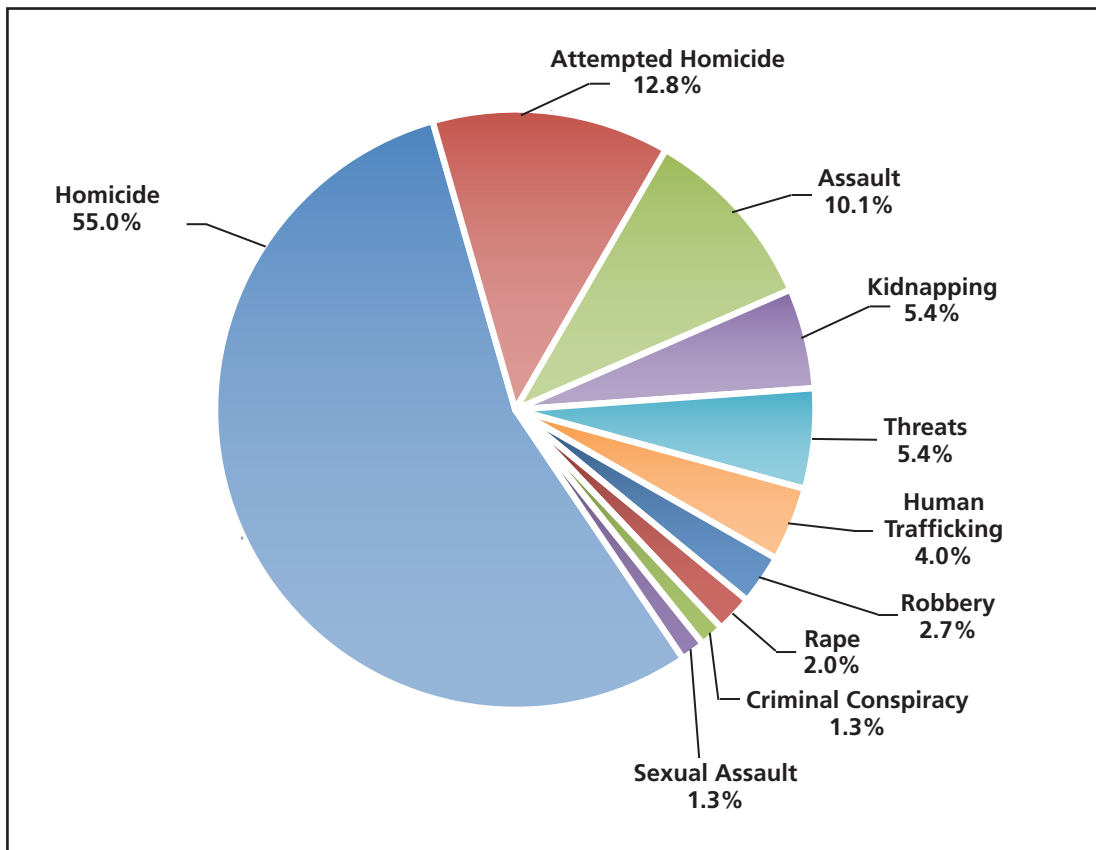
Chart 3 — Percentage of Gang-Related Cases Funded Each Fiscal Year



Charges Filed on Cases

During the FY 2019-2020 reporting period, homicide and attempted homicide charges accounted for 67.8 percent of the 149 new cases. The remaining charges filed included 10.1 percent for assault charges; 5.4 percent for kidnapping; 5.4 percent for threats; 4 percent for human trafficking; 2.7 percent for robbery; 2 percent for rape; 1.3 percent for criminal conspiracy; and the remaining 1.3 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 2019-2020)*



Local Assistance

The CalWRAP's local assistance appropriation (monies available to district attorneys' offices to support witness relocation cases) for FY 2019-2020 was \$2,354,000. As of June 30, 2020, the program distributed, \$377,131 and the remaining balance of \$1,976,869 is available for district attorneys' to support the cases they opened during FY 2019-2020 for a period of two additional years. Table 2 illustrates the status of the Chapter 23/19 fund as well as the two prior FY funds, Chapters 29/18 (FY 2018-2019) and 14/17 (FY 2017-2018), that were also administered by the program during this reporting period. The Chapter 14/17 fund closed on June 30, 2020.

Table 2 — Local Assistance Balances as of June 30, 2020

Chapter Fund	Beginning Funds	Expended Funds	Remaining Balance
23/19 (FY 19-20)*	\$2,354,000.00	\$377,131.12	\$1,976,868.88
29/18 (FY 18-19)*	\$2,354,000.00	\$877,964.17	\$1,476,035.83
14/17 (FY 17-18)†	\$3,113,000.00	\$1,277,278.13	\$1,835,721.87

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

† Chapter 14/17 closed on June 30, 2020.

Reimbursements to Local Agencies

In FY 2019-2020, the CalWRAP staff processed 291 reimbursement claims totaling \$1,735,560 submitted by 22 district attorneys' offices. The approved reimbursement claims reflect a monthly average of \$144,630 utilized for witness or sworn law enforcement expenses.

Table 3 reflects the total expenses approved for each active chapter fund during FY 2019-2020 and the total number of reimbursement claims processed for each year's appropriation. Reimbursements support 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 2019-2020)

Chapter Fund	Amount Approved	Claims Processed
Chapter 23/19	\$377,131.12	70
Chapter 29/18	\$747,069.34	132
Chapter 14/17	\$611,359.06	89
Total	\$1,735,559.52	291

Table 4 on the following page lists the 22 district attorneys' offices that submitted reimbursement claims for witness expenses during FY 2019-2020, and the amount approved for each county. The \$1,735,560 in approved expenditures represents 291 reimbursement claims.

County 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 291 approved reimbursement claims in FY 2019-2020. Table 4 reflects the 22 agencies that submitted match claims during this period.

Table 4 — Submitted Match Value by Agency (FY 2019-2020)

District Attorney Office	Total Amount Submitted	Total Amount Approved	County Match Value*
Alameda	\$11,350.00	\$11,350.00	\$6,866.35
Butte	\$6,773.26	\$6,773.26	\$13,803.44
Contra Costa	\$69,111.41	\$69,111.41	\$21,384.23
Fresno	\$61,473.54	\$61,473.54	\$73,743.38
Kern	\$128,190.88	\$128,190.88	\$33,444.94
Kings	\$12,000.00	\$12,000.00	\$3,662.32
Lake	\$5,000.88	\$5,000.88	\$5,223.22
Los Angeles	\$435,539.91	\$435,539.91	\$212,313.07
Monterey	\$123,173.89	\$123,173.89	\$32,582.62
Orange	\$27,550.06	\$27,550.06	\$32,391.40
Riverside	\$54,996.37	\$54,996.37	\$14,899.83
San Bernardino	\$89,937.35	\$89,805.27	\$46,245.28
San Diego	\$234,359.61	\$234,359.61	\$71,333.18
San Francisco	\$2,808.32	\$2,808.32	\$9,108.04
San Joaquin	\$25,617.14	\$25,617.14	\$15,561.40
San Luis Obispo	\$664.70	\$664.70	\$1,018.59
Santa Barbara	\$63,807.42	\$63,807.42	\$26,137.64
Santa Clara	\$150,672.15	\$150,672.15	\$30,188.13
Santa Cruz	\$113,108.59	\$113,108.59	\$75,631.89
Solano	\$36,135.12	\$36,135.12	\$10,062.00
Stanislaus	\$23,501.66	\$23,501.66	\$1,870.02
Ventura	\$60,098.90	\$59,919.34	\$15,289.91
Grand Total	\$1,735,871.16	\$1,735,559.52	\$752,760.88

* Effective 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. If the match amount submitted is less than 25% 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% match.

Testimonials

The CalWRAP program staff solicits information from local law enforcement agencies after the closure of their cases requesting comments or suggestions concerning the program, its policies, or its procedures. The comments received from these agencies during FY 2019-2020 contained 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 during the past year.

Contra Costa County District Attorney's Office

"The witness was an informant for a police department, and was sent into the defendants at the department's request. As a result of this, the witness was kidnapped and beaten by the defendants. The witness testified at the preliminary hearing and did a great job. All three defendants were held to answer, and ultimately took plea deals. Once again, CalWRAP has proven to be invaluable."

Monterey County District Attorney's Office

"The Victim did not need to testify due to the defendant pleading guilty to the charges. The victim and his wife are very appreciative of the help provided by CalWRAP."

"As usual, it was great working with the CalWRAP staff on this case."

Ventura County District Attorney's Office

"The CalWRAP process was easy and everyone was very responsive. The fact that services were available really put our witness at ease."

San Joaquin County District Attorney's Office

"CalWRAP made the process very simple. CalWRAP was quick to answer questions and provide guidance."

Additional Program Items of Interest

Administrative Status

In FY 2019-2020, the CalWRAP expended \$129,000 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 local district attorneys' offices upon request.

