

MEETING DATE: February 12, 2026**AGENDA ITEM: C**

TO: Board of State and Community Corrections (BSCC) Chair and Members

FROM: Juanita Hernandez, Field Representative, juanita.hernandez@bscc.ca.gov

SUBJECT: Organized Retail Theft Vertical Prosecution Grant – 12-Month, No-Cost Extension: **Requesting Approval**

Summary

This agenda item requests Board approval for a 12-month, no-cost extension to the Organized Retail Theft (ORT) Vertical Prosecution Grant agreements. This extension will allow grantees that experienced start-up and implementation delays to spend down their full grant award and avoid reverting unspent funds that otherwise could be used for the purpose of addressing increased levels of retail theft and property crimes by using a vertical prosecution model. If approved, this action will extend the service delivery period for currently funded grantees to December 31, 2027, and the grant agreement end date to June 1, 2028.

Background

The State Budget Act of 2022 (Assembly Bill 178, Chapter 45, Statutes of 2022) established the ORT Vertical Prosecution Grant Program to provide funding to California District Attorneys to support efforts to combat organized retail theft through a vertical prosecution model. Under this model, victims, witnesses, and law enforcement officials have a single point of contact.

The county receiving the competitive grant is required to:

- Employ a vertical prosecution methodology for organized retail theft crimes.
- Dedicate at least one deputy district attorney and one district attorney investigator whose primary role is the investigation and prosecution of organized retail theft crimes.
- Provide the BSCC with annual data on the number of organized retail theft cases filed by that county, the number of organized retail theft convictions obtained, and the sentences imposed for those convicted of organized retail theft in that county.
 - The county shall also provide the number of instances where vertical prosecution was used to obtain those convictions and the sentences imposed.
 - The county shall also provide the number of theft-related property crimes that were charged overall in the jurisdiction that did not use the vertical prosecution model and the resulting number of convictions.

On September 14, 2023, the Board awarded \$24,868,293 in ORT Vertical Prosecution Grant funds to thirteen California District Attorneys. These grants were approved for a grant period from October 1, 2023, to June 1, 2027. The grant period consists of a service delivery period from October 1, 2023, through December 31, 2026, and a five-month final audit and evaluation period from January 1, 2027, to June 1, 2027.

Many of the ORT Vertical Prosecution Grant recipients have experienced start-up delays related to hiring challenges and, as a result, they are projected to have unspent funds at the end of the service delivery period.

This amendment changes the end date of the service delivery period from December 31, 2026, to December 31, 2027, and changes the end of the five-month final audit and evaluation period (and grant agreement end date) from June 1, 2027, to June 1, 2028. Corresponding reporting requirements, to include quarterly progress reports and financial invoices, will also be extended. No other terms of the grant agreement will be impacted.

A list of the ORT Vertical Prosecution Grant recipients that will receive the 12-month, no-cost extension is included as Attachment C-1.

Recommendation/Action Needed

Staff recommends that the Board:

- Approve 12-month, no-cost extensions for the ORT Vertical Prosecution Grant agreements, extending the service delivery end date from December 31, 2026, to December 31, 2027, and the grant agreement end date from June 1, 2027, to June 1, 2028.

Attachment

C-1: List of ORT Vertical Prosecution Grantees to Receive No-Cost Extension