

Title	Riverside County District Attorney's Office	07/07/2023
	by Chris Bouffard in Organized Retail Theft Vertical Prosecution Grant Program	id. 41333594
	csbouffard@rivcoda.org	

Original Submission	07/07/2023
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The Organized Retail Theft Vertical Prosecution Grant Program Application is divided into five sections as identified below: Background Information Contact Information Program Information Proposal Narrative and Budget Mandatory Attachments Each section has a series of questions that require a response. Applicants will be prompted to provide written text, select options from a drop down menu, select options from a multiple choice menu, or upload attachments. Questions with a red asterisk require responses. Applicants will not be able to submit the application until all questions with a red asterisk have been completed. Applicants may reference the Organized Retail Theft Vertical Prosecution Grant Program Proposal Instruction Packet for background information, key dates, rating factors, and other important information to aid in the completion of the Grant Program Application. The Proposal Instruction Packet is available on the BSCC website. NOTE: Applicants may start and stop their application but must select "Save Draft" at the bottom of the application before existing.

SECTION I - BACKGROUND INFORMATION	This section requests information about the applicant's name, location, mailing address, and tax identification number.
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Name of Applicant	Riverside County District Attorney's Office
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Applicant's Physical Address	3960 Orange St Riverside CA 92501 US
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Applicant's Mailing Address (If different than physical address)	n/a
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Mailing Address for Payment **3960 Orange St
Riverside
CA
92501
US**

Tax Identification Number **95-6000930**

SECTION II - CONTACT INFORMATION **This section requests contact information for the individuals identified as the Project Director, Financial Officer, Day-to-Day Project Contact, Day-to-Day Fiscal Contact, and the Authorized Signature.**

Project Director **Vince
Fabrizio**

Project Director's Title with Agency/Department/Organization **Chief Deputy District Attorney**

Project Director's Physical Address **3960 Orange St
Riverside
CA
92501
US**

Project Director's Email Address **vfabrizio@rivcoda.org**

Project Director's Phone Number **+19519555471**

Financial Officer **Ginika
Ezinwa**

Financial Officer's Title with Agency/Department/Organization **Deputy Director District Attorney Administration**

Financial Officer's Physical Address **3960 Orange St
Riverside
CA
92501
US**

Financial Officer's Email Address **ginikaezinwa@rivcoda.org**

Financial Officer's Phone Number **+19519558804**

Day-To-Day Program Contact **Chris
Bouffard**

Day-To-Day Program **Managing Deputy District Attorney**
Contact's Title

Day-To-Day Program **3960 Orange St**
Contact's Physical **Riverside**
Address **CA**
92501
US

Day-To-Day Program **csbouffard@rivcoda.org**
Contact's Email
Address

Day-To-Day Program **+19519709437**
Contact's Phone
Number

Day-To-Day Fiscal **Esther**
Contact **Tino**

Day-To-Day Fiscal **Administrative Services Officer**
Contact's Title

Day-To-Day Fiscal **3960 Orange St**
Contact's Physical **Riverside**
Address **CA**
92501
US

Day-To-Day Fiscal **esthertino@rivcoda.org**
Contact's Email
Address

Day-To-Day Fiscal **+19519555944**
Contact's Phone
Number

Name of Authorized **Chris**
Officer **Bouffard**

Authorized Officer's **Managing Deputy District Attorney**
Title with
Agency/Department/Organization

Authorized Officer's **3960 Orange St**
Physical Address **Riverside**
CA
92501
US

Authorized Officer's **csbouffard@rivcoda.org**
Email Address

Authorized Officer's Phone Number	+19519709437
Authorized Officer Assurances	checked
SECTION III - PROGRAM INFORMATION	This section requests a Proposal Summary description and identification of the Funding Category.
Project Title	Riverside County District Attorney's Balanced and Comprehensive Approach to the Elimination of ORT
Proposal Summary	The Riverside County District Attorney's office proposes a program designed to effectively combat the scourge of ORT. We will seek to develop collaborative and productive partnerships with local, state, and federal law enforcement, as well as industry stakeholders. Leveraging these new and existing relationships, we will employ state-of-the-art investigative techniques designed to identify and eliminate ORT at the root. In court, our prosecutors will employ a just and balanced approach, offering diversion alternatives to suitable low-level offenders. For ORT instigators and fencing operators, we will fight for sentences that appropriately deter and punish.
Funding Category Information	Applicants may apply for funding in a Small Scope OR Large Scope Category. The maximum an applicant may apply for is up to \$800,000 in the Small Scope category OR up to \$2,050,000 in the Large Scope category. Applicants may apply for any dollar amount up to and including the maximum grant amount identified in each category. Please reference pages 8-9 in the Proposal Instruction Packet for additional information.
Funding Category	Large Scope (Up to \$2,050,000)
SECTION IV - PROPOSAL NARRATIVE AND BUDGET	This section requests responses to the Rating Factors identified in the the Organized Retail Theft Vertical Prosecution Grant Program Instruction Packet.

The Proposal Narrative must address the Project Need, Project Description, Project Organizational Capacity and Coordination, and Project Evaluation and Monitoring Rating Factors as described in the Instruction Packet (Pages 17-21). A separate narrative response is required for each Rating Factor as described below: The Project Need narrative may not may not exceed 4,474 total characters (includes punctuation, numbers, spacing and any text). In Microsoft Word, this is approximately 2 (two) pages in Arial 12-point font with one-inch margins on all four sides and at 1.5-line spacing. The Project Description narrative may not may not exceed 8,948 total characters (includes punctuation, numbers, spacing and any text). In Microsoft Word, this is approximately 4 (four) pages in Arial 12-point font with one-inch margins on all four sides and at 1.5-line spacing. The Project Organizational Capacity and Coordination narrative may not may not exceed 4,474 total characters (includes punctuation, numbers, spacing and any text). In Microsoft Word, this is approximately 2 (two) pages in Arial 12-point font with one-inch margins on all four sides and at 1.5-line spacing. The Project Evaluation and Monitoring narrative may not may not exceed 4,474 total characters (includes punctuation, numbers, spacing and any text). In Microsoft Word, this is approximately 2 (two) pages in Arial 12-point font with one-inch margins on all four sides and at 1.5-line spacing. A character counter is automatically enabled that shows the number of characters used and the remaining number of characters before the limit for each response met. If the limit is exceeded, a red prompt will appear with the message "You have exceeded the character limit". Applicants will be prohibited from submitting the Organized Retail Theft Vertical Prosecution Grant Program Application until they comply with the character limit requirements. NOTE: It is up to the applicant to determine how to use the total word limit in addressing each section, however as a guide, the percent of total point value for each section is provided in the Proposal Instruction Packet (Page 17).

Project Need

Riverside County is positioned to present a strong front line in the overall fight against ORT. Riverside is the State's fourth largest county, and we are growing fast. Our county has leveraged its raw geographical size, and its proximity to major population centers, to recruit huge logistics and distribution investments, by the likes of Amazon, Target, and UPS. Riverside County sits at the heart of Southern California, and we are—and always has been—a fertile stomping ground for illicit operations like ORT, that feast upon the wealth and opportunity that our region represents.

Our office conducted a review of all our ORT case prosecutions to date, up to and including May of 2023, as reflected in our Case Management System. Since Penal Code section 490.4 became law in 2019, our office initiated 53 ORT cases, comprising 99 defendants.

We made the following observations:

A high number of ORT defendants have an arrest warrant

outstanding, because they never came to court, they failed to appear at some point, or they absconded from their probation supervision. When the data is isolated by year, a pattern becomes evident: 2019 = 14% [of those defendants are at warrant]; 2020 = 6%; 2021 = 18%; 2022 = 35%; 2023 = 57%. A large percentage of our ORT defendants are presently “at large,” and this is acutely true of recent offenders—i.e., those more likely to be actively offending.

Of the ORT defendants whose case resolved, only 51% admitted to a violation of section 490.4. A few of them committed a greater wrong—such as robbery—which tended to explain the ORT charge dismissal. For the others, however, we found that they admitted to a “lesser” offense, such as a singular theft or commercial burglary.

These “lesser” results are not that surprising. To start, Penal Code section 490.4 was not enacted with the intent to make ORT offenses easier to prove. As an “organized” offense, section 490.4 is premised on a conspiracy liability. Conspiracy has always been a tough liability theory for prosecutors to establish beyond a reasonable doubt.

Conspiracy investigations benefit from well-trained investigators who are sensitive to the types of direct and circumstantial evidence required, and motivated and capable of developing it. In the ORT context, moreover, most of the initial (and most critical) leads are adduced by corporate loss prevention officers (LPOs), who tend to harbor a more limited training and experience. LPOs are also more likely to be influenced by financial considerations, such as the idea that ORT losses simply represent a “cost of doing business” that must be borne by the consumer, in the form of higher costs. Our ability to thwart ORT must be grounded in team mentality. Our program will foremost prioritize law enforcement and corporate stakeholder outreach and training, and as a result we anticipate a marked increase in successful ORT prosecutions.

Our review also qualitatively demonstrated some of the downsides to leaving ORT cases to a non-vertical model. Particularly in multiple defendant ORT cases, for example, we found them handled by multiple prosecutors, creating the potential for inconsistency, a lack of oversight over a probationer’s rehabilitation, and a lack of strategy about which offenders might be appropriately offered cooperation agreements so to gather intelligence and to reveal “upstream” ORT violators. Our review further revealed that non-vertical ORT prosecutions regularly failed to identify recidivists, meaning that their additional cases were not identified, consolidated, and prioritized. This was especially true when the additional matters were pending in another county.

Non-vertical prosecution models are the norm because they are cost effective and resilient to personnel turnover. Grant funds will allow us to elevate ORT cases in line with the way that we treat complex fraud schemes. Our grant program will work to promote an internal culture depicting ORT as a serious problem, amply worthy of our attention

long after the grant funding expires.

Finally, we doubt that the 53 ORT cases that we have prosecuted represent the complete universe of ORT offenses submitted to our office for filing consideration, because they were not identified as such. Part of our early program efforts will be to implement better methods to identify the indicators of ORT, both internally in our office, and externally by our stakeholder partners.

Project Description

The vertical prosecution program that we envision, consisting of a full time Deputy District Attorney (DDA) and a full time District Attorney investigator (DAI), will position us to execute effective strategies in our fight against ORT. For the first time since ORT has risen to notoriety, our office will employ personnel exclusively dedicated to understanding Penal Code section 490.4 in depth, as well as to staying fully abreast of modern ORT trends and schemes.

Our vertical ORT personnel will work initially to establish positive, open communication channels with retail establishments, online marketplaces, law enforcement agencies, and other key industry stakeholders. By fostering an atmosphere of information sharing and teamwork, we will foster a sense of optimism and “buy in.” Most importantly, our stakeholder-focused approach will motivate private industry to assist us in identifying patterns indicative of ORT, such as the methods being used to steal goods from retail, and those used to surreptitiously expose stolen goods into the marketplace.

The vertical DDA and DAI will provide regular trainings to stakeholder partners, during which they will share knowledge, best practices, and emerging trends related to ORT. For example, patterns recognized on the “ground” level—e.g., observations made by LPOs that indicate commonalities between perpetrators and/or the motor vehicles employed to escape with merchandise—will play a critical role in our ability to discern ORT from isolated acts of shoplifting or commercial burglary.

To fully realize success, our program must also earn the cooperation and trust of online retailers and marketplaces. Corporate stakeholders have robust systems in place to detect fraudulent or suspicious transactions, which will help us the identify ORT patterns and modus operandi. Corporate stakeholders also employ data analytics and fraud detection tools that help identify unusual purchasing patterns, account activities, and shipping destinations, which we hope to leverage to proactively detect and prevent ORT. For example, we might obtain real-time information disclosing ongoing illicit transactions, allowing us to take immediate action to identify and neutralize a scheme at the source.

Project Work Plan Goal Number 1 reflects the importance that we will assign to our program’s training and outreach efforts. Not only will our program administration track numerically our progress, periodic “satisfaction” surveys will solicit from stakeholders how they value and rate our performance. In fact, we have already begun the

process of forging key ORT relationships, having recently formally agreed with the Hemet Police Department to actively collaborate with them under a parallel ORTPG program.

As discussed in our Project Need, a great many of our historical non-vertical ORT prosecutions resulted in a plea bargain reduction of the case to a “lesser” offense. While there are many reasons that a charge might be reduced, in the context of ORT we found three phenomena primarily at play: (1) The DDA did not feel as confident with the evidentiary sufficiency of the ORT charge, compared to the quality of the reduced charge; (2) The DDA was not aware that the defendant had another pending ORT case, particularly when the case was pending outside of our jurisdiction; and (3) The DDA did not believe that the defendant was sufficiently “central” to the overall ORT scheme, rendering the reduction appropriate “in the interest of justice.”

Deeply investigated ORT cases must be the lifeblood of any successful ORT program. The vertical partnership to be forged between our grant DDA and DAI should pay dividends almost immediately, starting with the submission of comprehensive ORT investigations initiated and executed by the DAI, as well as by the outside submission of quality investigations that have benefitted from our ongoing advice and mentorship.

Our ORT program success will also be founded on a cornerstone of accountability. We identified inefficiencies in our treatment of warrant and recidivist offenders within our historical, non-vertical ORT prosecutions. To have any realistic hope of solving this problem, ORT defendants with warrants must be timely located and brought to justice in court. This is particularly true of recidivists. Our grant program will therefore work immediately to catalogue and track of ORT offenders who fail to appear in court, who fail to live up to their probationary rehabilitation, and who reoffend. The program’s DAI will take on the primary role of locating and arresting ORT defendants with active arrest warrants. In some case, the DAI might opt to draft “be on (the) look-out” (BOLO) flyers, and/or coordinate recovery efforts with partner law enforcement agencies.

Project Work Plan Goal Number 2 reflects our belief that a core measure of our program success must be reflected in ORT charge dispositions that positively reflect the quality of our collective investigative efforts. We therefore propose to gauge whether we will attain: (1) Increases in ORT cases submitted to our office and filed; (2) Decreases in the number of “at large” ORT defendants with active arrest warrants; and (3) Increases in the number of ORT convictions attained in the courtroom.

Based on the relatively few ORT cases that our office has prosecuted to date—and particularly considering the depths of the ORT crisis—we suspect that ORT cases are not consistently being identified within our office as such, most likely due to a lack of training and experience. At an early stage in the program’s service delivery

period, we will launch a comprehensive internal review of pending retail theft cases, with an intent to identify those harboring indicators of ORT. Our program will moreover conduct internal trainings to increase our overall ORT vigilance, so that such cases are identified by non-grant personnel as early as possible.

A fundamental program goal will be dismantling the very core of ORT rings, and correspondingly to deliver the most culpable of the offenders to justice. We contend that our program will realize the most taxpayer and consumer value if we target individuals fueling these operations. By holding the instigators most accountable, moreover, we will send a strong message to those inclined to promote ORT schemes. Perhaps most importantly, shutting down ongoing ORT operations “at the root” halts ongoing destruction. Our efforts might also have a symbolic impact, reassuring the public that the criminal justice system is working diligently and effectively to neutralize this critical economic and social problem.

In a related vein, we must be mindful that “low-level” ORT offenders might be motivated to participate for a variety of mitigating circumstances, including mental illness, drug addiction, and economic distress. A key goal of our grant program will therefore be to promote the admission of low-level defendants into judicial diversion, mental health diversion, drug diversion, and veteran diversion programs. By addressing the factors that contribute to criminal behavior, alternative programs aim to equip individuals with the necessary skills and support to reintegrate into society and lead law-abiding lives. In some cases, moreover, we might abandon the prosecution of a low- or mid-level defendant, provided that they reliably cooperate with us by offering operational intelligence, and/or by identifying “upstream” conspirators.

Project Work Plan Goal Number 3 reflects our desire to quantify our desire to extend to ORT defendants an opportunity to take advantage of the variety of diversion programs that California’s courts offer, provided that the offender is eligible and suitable. We are further interested in trying to utilize program data to adduce whether these prosecution alternatives translate into a measurable reduction in ORT recidivism.

Our project proposal incorporates philosophies that have served our office superbly in its investigation and prosecution of similarly complex cases. Given the sensitivity and intricacy of the ORT problem, our grant program will be housed entirely within, and it will be supervised by, our countywide Special Prosecutions Section (SPS). SPS personnel are entrusted with cases involving major fraud, public corruption, and other cases substantially impacting the public interest. SPS employs a vertical prosecution model without exception, thus we are versed in its many advantages. As part of SPS, our ORT personnel will enjoy an instantly available wealth of forensic support services and expert legal advice, much of which will go uncompensated, but which will add immeasurable value. Stated simply, we know that our project proposal will prove to be an

effective weapon in the fight against ORT, because the methodologies we propose to employ are established as “tried and true,” even in the most intractable of circumstances.

Project
Organizational
Capacity and
Coordination

Consistent with the importance that our elected District Attorney assigns the ORT problem in Riverside County, our grant program will reside within our Special Prosecutions Section (SPS). SPS is home to a large variety of long-standing grant operations, and we are very well versed in grant policies, procedures, and metrics. For example, our insurance fraud grant programs alone have a yearly budget at about 5.5 million dollars. From the outset, our program will have the benefit of seasoned accounting and administrative professionals, each highly qualified for their respective positions.

Our ORT grant program will be supervised day-to-day by Managing Deputy District Attorney (MDDA) Chris Bouffard. MDDA Bouffard supervises each of our countywide major fraud programs, most of them grant funded. He has been a practicing attorney for nearly 25 years, almost all of it as a prosecutor. Chief DDA Vince Fabrizio will also have a role in the grant supervision and administration. Chief Fabrizio has been a prosecutor for nearly 30 years, and he began administering our grant programs beginning in the early 2000s. We are opting not to factor into our proposed budget the work that these supervisors will contribute to our ORT grant program, in the interest of maximizing budget expenditures on core program personnel.

SPS largely employs bottom-to-top decision making. In other words, the vertical DDA and DAI will have a broad discretion to investigate, prosecute, and resolve cases as they think just and appropriate. On a monthly basis, the MDDA will meet with the program’s team, to discuss and strategize how to accomplish longer-term goals, and they will review metrics related to goals the team is working to advance.

With a staff of over 700 law enforcement professionals, our office offers in-house forensic experts and technicians, forensic accountants, and a case data analytics unit. We do not project a need to contract out for support services, and many of the services that we will contribute will not be remunerated, but rather contributed as part of our office’s commitment to fighting ORT. Moreover, we believe it likely that the ORT caseload we develop will require that our Bureau contribute “spillover” investigative resources that will well exceed the 1.0 FTE budgeted for the DAI position.

We intend to utilize at least a portion of the implementation period to hire the vertical DDA and DAI itemized in our budget submission. As is the case with all permanent hires, we will make offers to people meeting the high standards expected of our profession. We will be hiring the full time DDA at a level III, meaning that the attorney must have substantial courtroom experience, including trial experience. Likewise, the DAI candidate selected must fit squarely within the high standards maintained by our Bureau. A DAI is likely to have 15+ years in law enforcement and will almost always have prior experience as a

detective. Given the tightness of the job market at present, it is conceivable—but not likely or anticipated—that SPS personnel will need to step in to begin the pursuit of grant objectives, until suitable hires are made.

In addition to a memorandum of understanding that we recently executed with the Hemet Police Department as part of its ORTPG grant submission, we intend to make investigative contributions to other law enforcement programs initiated within or near our jurisdiction. We also intend to develop a consortium with other district attorney’s offices awarded funds to operate a vertical prosecution ORT program.

From the very outset, we are founding our ORT program with the expectation that—long after the grant funds are exhausted—the program will persist as an office fixture. By installing the program in SPS, it will enjoy high visibility, and an elite reputation. We will buttress that perception by the enlistment of a squarely qualified DDA and DAI. Within the course of three years, we readily forecast that our program will have developed a symbiotic relationship with non-vertical units that prosecute theft-related crimes. In the end, the longevity of this program will not be measured by the availability of grant funds, but rather by it having earned a broadly positive reputation among stakeholders. Perhaps most importantly, the program must strive to engender a collective belief that our community would be placed in hazard were the program to dissolve.

Project Evaluation and Monitoring

We will use two personnel frameworks, essentially employed in parallel, to conduct our project evaluation and monitoring obligations required by the grant agreement.

On a “ground” level, during the implementation period, Managing Deputy District Attorney (MDDA) Bouffard will be responsible for hiring the DDA, and our Bureau supervision will conduct hiring for the District Attorney Investigator (DAI). Once these critical personnel are installed, MDDA Bouffard will conduct orientation sessions, during which the team will collaborate on how the program’s many goals and objectives will be accomplished during the service delivery period. During the implementation, MDDA Bouffard will also work to draft a Global Project Spreadsheet (GPS) that the program DDA and DAI will be utilizing, to track investigations, court filings, case dispositions, and our outreach efforts (among other relevant program metrics). The GPS will be shared between the team by means of an internal software platform. Please refer to the Project Work Plan for examples of how the GPS will be utilized.

During service delivery, MDDA Bouffard will conduct regular meetings, to occur at least once a month. These team meetings will give us the opportunity to review and discuss real time metrics, as reflected in the GPS. The team will also have an opportunity to evaluate our goals and objectives, and to recalibrate our strategies if necessary.

On “structural” level, our ORT grant program will employ in-house data analysts already employed within our office’s Data Analytics Unit (DAU), which sits at the bleeding edge of California’s push for criminal justice system research. Our DAU is made up of non-attorney academics, each dedicated to gathering, cataloging, and visualizing numerical insights depicting how we function. Starting in 2017, our office also began investing in massive upgrades to our Case Management System (CMS). Our DAU has played an outsized role in the ongoing refinement of our CMS over the past several years. Our CMS is today capable of being queried for a wide variety of performance metrics, including the types of cases submitted to us for filing consideration, the types of cases actually filed by the reviewing DDA, the procedural history of the cases, and the case disposition results. We took special care to develop Project Work Plan objectives that are readily capable of quantification within our CMS.

Our DAU personnel will be responsible for collecting and compiling data required to be produced under AB 178, such as the number of ORT cases filed, specifics related to our ORT case dispositions, vertical ORT prosecution numbers, and the overall number of theft-related crimes pursued during the service period. The DAU will further play a critical role in our execution of our Local Evaluation Plan and Local Evaluation Report.

The development of baseline data naturally forms a critical component of our eventual need to validate the overall success of our grant program. In our recent preparations for the submission of this instant proposal, our DAU was instrumental in ascertaining several of the historical ORT metrics that we outlined and discussed in our Program Need. During implementation, MDDA Bouffard will continue to work with our DAU to develop a data-centric methodology to express our historical non-vertical ORT efforts, our upcoming grant inspired ORT efforts, and our global theft-related prosecution efforts.

During the implementation period, MDDA Bouffard will meet with the DAU to forge a productive working relationship. They will review and discuss the Project Work Plan and formulate a reliable and objective strategy for tracking and logging goals and objectives from the CMS. To confirm that the numbers authored in the GPS by the grant program personnel fall in line with the data mined by the DAU from our CMS, MDDA Bouffard will meet with the DAU quarterly, to review the collective data.

In the end analysis, we believe that the goals and objective that we have elected to pursue will be verifiable, because they are, by and large, readily capable of an objective numerical reduction. Within those very few objectives that might possess a measure of subjectivity (such as the effectiveness of our training and outreach, as gauged by shareholder satisfaction surveys), we believe that the methodology that we propose to employ is sufficiently objective, as to be entirely credible and acceptable.

Budget Instructions **Applicants are required to submit a Proposal Budget and Budget Narrative (Budget Attachment). Upon submission the Budget Attachment will become Section 5: Budget (Budget Tables & Narrative) making up part of the official proposal. The Budget Attachment must be filled out completely and accurately. Applicants are solely responsible for the accuracy and completeness of the information entered in the Proposal Budget and Budget Narrative. The Proposal Budget must cover the entire grant period. For additional guidance related to grant budgets, refer to the BSCC Grant Administration Guide. The Budget Attachment is provided as a stand-alone document on the BSCC website.**

Budget Attachment

[Organized-Retail-Theft-Vertical-Prosecution-Grant-Program-Budget-Attachment.-Final_-_Riv_Co.xlsx](#)

SECTION V -
MANDATORY
ATTACHMENTS

This section list the attachments that are required at the time of submission. Project Work Plan (Appendix B) Grantee Assurance for Non-Governmental Organizations (Appendix D) Letter(s) of Commitment If Applicable (Appendix E) Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (Appendix F) Governing Board Resolution Optional (Appendix G)

Project Work Plan (Appendix B)

[Project-Work-Plan-ORT-VP_-_Riv_Co.pdf](#)

Grantee Assurance for Non-Governmental Organizations (Appendix D)

[Grantee-Assurance-for-Non-Governmental-Organizations-ORT-VP_-_Riv_Co.pdf](#)

Letter(s) of
Commitment,
(Appendix E)

n/a

Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (Appendix F)

[Cert-of-Compl-with-BSCC-Policies-Debarment_-Fraud_-Theft_-and-Embezzlement-ORT-VP_-_Riv_Co.pdf](#)

OPTIONAL: Governing Board Resolution (Appendix G)

[Riverside_County_Board_Resolution_-_ORT_Grant_Application.pdf](#)

OPTIONAL:
Bibliography

n/a

CONFIDENTIALITY
NOTICE:

All documents submitted as a part of the Organized Retail Theft Vertical Prosecution Grant Program proposal are public documents and may be subject to a request pursuant to the California Public Records Act. The BSCC cannot ensure the confidentiality of any information submitted in or with this proposal. (Gov. Code, § 6250 et seq.)

Appendix B: Project Work Plan

Applicants must complete a Project Work Plan. This Project Work Plan identifies measurable goals and objectives, process and outcome measures, activities and services, responsible parties for those activities and services, data sources and estimated timelines. Completed plans should (1) identify the project’s top goals and objectives; (2) identify how the goal(s) will be achieved in terms of the activities, responsible staff/partners, and start and end dates, process and outcome measures; and (3) provide goals and objectives with a clear relationship to the need and intent of the grant. As this grant term is for three (3) years, the Project Work Plan must attempt to identify activities/services and estimate timelines for the entire grant term. A minimum of one goal and corresponding objectives, process measures, etc. must be identified.

Applicants must use the Project Work Plan provided below. You will be prompted to upload this document to the BSCC-Submittable Application.

(1) Goal:	> INCREASE THE NUMBER AND QUALITY OF STAKEHOLDER PARTNERSHIPS		
Objectives (A., B., etc.)	> Objective A: Develop quality partnerships with industry and law enforcement stakeholders, with an emphasis on developing relationships with online retailers and marketplaces. > Objective B: Develop and present quality training materials for loss prevention officers (LPOs), corporate security agents, and law enforcement, with a focus on recent ORT trends and investigative “best practices.”		
Process Measures and Outcome Measures:	> Objective A is partly capable of a reduction to objective, numerical outcomes, because the number and nature of our partnerships will be documented in the Global Project Spreadsheet (GPS). > Objective B is partly capable of a reduction to objective, numerical outcomes, because the number and nature of our training efforts will be documents in the GPS. > Objectives A and B will be further gauged by “satisfaction” surveys will be employed to evaluate the perceived sense of quality assigned to our outreach and training efforts.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
> A vertical prosecution model will promote specialization and “ownership” of ORT case results. The DDA and DAI will become ORT subject matter experts, and they will naturally be looked upon to contribute vision and leadership to this fight.	> Managing DDA Chris Bouffard (Primary); ORT DDA (TBD); ORT DAI (TBD)	> Jan. 1, 2024	> Dec. 31, 2026
List data and sources to be used to measure outcomes: > Meeting agendas. Training materials. Satisfaction surveys.			

(2) Goal:	> INCREASE CASE RESOLUTIONS THAT INCORPORATE A PENAL CODE SECTION 490.4 CONVICTION		
Objectives (A., B., etc.)	> Objective A: Increase the number of ORT cases that are submitted to our office for filing consideration by outside agencies, increase the number of ORT case filings, and increase the number of vertical ORT prosecutions. > Objective B: Reduce the number of ORT defendants that are "at large," <i>i.e.</i> , that have an outstanding arrest warrant. > Objective C: Increase the number of case resolutions (<i>e.g.</i> , by plea bargain, a court plea, or a jury verdict) that incorporate a Penal Code section 490.4 conviction.		
Process Measures and Outcome Measures:	> Each Objective is readily capable of a reduction to objective, numerical outcomes. > Our Case Management System (CMS) comprehensively logs and tracks outside case submissions. > We will author and maintain a Global Project Spreadsheet (GPS) that will track grant case, with disposition data. The GPS will also track each defendant's warrant status.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
> Stakeholder outreach and training, which will increase interest in ORT, and strengthen the investigative results that we receive. > Partnerships with online retailers and marketplaces, positioning us to leverage advanced data collection and data analytics.	> Managing DDA Chris Bouffard (Primary); ORT DDA (TBD); ORT DAI (TBD)	> Jan. 1, 2024	> Dec. 31, 2026
List data and sources to be used to measure outcomes: > Office CMS. Global Project Spreadsheet. Monthly employee reports.			

Goal No. 3 appears on the page following ...

(3) Goal:	> INCREASE THE NUMBER OF DEFENDANTS DIVERTED INTO INCARCERATION ALTERNATIVES		
Objectives (A., B., etc.)	> Objective A: Increase the number of defendants who admitted into judicial diversion, mental health diversion, drug diversion, and veteran diversion programs. > Objective B: Ascertain whether the imposition of incarceration alternatives tends to reduce ORT recidivism.		
Process Measures and Outcome Measures:	> Objective A is readily capable of a reduction to objective, numerical outcomes. > Our Case Management System (CMS) comprehensively logs and tracks case dispositions, including diversion grants. > We will author and maintain a Global Project Spreadsheet (GPS) that will track grant cases. The spreadsheet will include diversion dispositions, and it will serve to catalogue recidivist ORT offenders.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
> Our focus on ORT scheme “ringleaders” will mesh perfectly with California’s collective desire to afford rehabilitation to low-level offenders, over prosecution and (potential) incarceration.	> Managing DDA Chris Bouffard (Primary); ORT DDA (TBD); ORT DAI (TBD)	> Jan. 1, 2024	> Dec. 31, 2026
List data and sources to be used to measure outcomes: > Office CMS. Global Project Spreadsheet.			

Organized Retail Theft Vertical Prosecution Grant Program - Project Budget and Budget Narrative

Name of Applicant: Riverside County District Attorney's Office

44-Month Budget: October 1, 2023 to June 1, 2027

Note: Rows 7-16 will auto-populate based on the information entered in the budget line items (Salaries and Benefits, Services and Supplies, etc.)

Budget Line Item	Total
1. Salaries & Benefits	\$1,880,380.00
2. Services and Supplies	\$34,215.00
3. Professional Services or Public Agencies	\$0.00
4. Non-Governmental Organization (NGO) Subcontracts	\$0.00
5. Data Collection and Evaluation	\$0.00
6. Equipment/Fixed Assets	\$0.00
7. Financial Audit (Up to \$25,000)	\$15,000.00
8. Other (Travel, Training, etc.)	\$7,200.00
9. Indirect Costs	\$113,205.00
TOTAL	\$2,050,000.00

1a. Salaries & Benefits

Description of Salaries & Benefits	(% FTE or Hourly Rate) & Benefits	Total
Deputy District Attorney III	Salary: \$133,370.62 Annual Salary X 3 Years X 1 FTE= \$400,112. Benefits Rate 50.991% X \$400,112= \$204,021. Benefits Rate Breakdown 50.991%= Unemployment .128%, Retirement 32.374%, Social Security 6.144%, Medicare 1.450%, LGTD Ins .948%, Health ins 6.867%, Def Comp .949%, Life .068%, Optical .158%, Workers' Comp 1.905%	\$604,133.00
Senior DA Investigator B-II	Salary: \$139,883.08 Annual Salary X 3 Years X 1 FTE= \$419,649. Benefits Rate 66.39% X \$419,649= \$278,593. Benefits Rate Breakdown 66.39%= Unemployment .128%, Retirement 51.134%, Social Security 0%, Medicare 1.450%, LGTD Ins .240%, Health ins 11.152%, Def Comp (401a) .466%, Workers' Comp 1.816%	\$698,242.00
Investigative Tech II	Salary: \$73,625.23 Annual Salary X 3 Years X 0.65 FTE= \$143,569. Benefits Rate 55.606% X \$143,569= \$79,833. Benefits Rate Breakdown 55.606%= Unemployment .128%, Retirement 32.374%, Social Security 6.2%, Medicare 1.450%, LGTD Ins .163%, Health ins 11.738%, Training/Pen) .028%, Life .074%, Optical 0%, Workers' Comp 3.451%	\$223,402.00
Research Specialist II	Salary: \$86,524.11 Annual Salary X 3 Years X 1 FTE= \$168,722. Benefits Rate 62.87% X \$168,722= \$106,081. Benefits Rate Breakdown 62.87%= Unemployment .13%, Retirement 32.736%, Social Security 6.2%, Medicare 1.45%, LGTD Ins 0.325%, Flex 20.956%, Basic Life .076%, Training 1.00%	\$274,803.00
Senior DA Investigator B-II Overtime	\$76 Overtime Rate X 350 Hours X 3 Years=\$79,800	\$79,800.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$1,880,380.00

1b. Salaries & Benefits Narrative:

The Deputy District Attorney (DDA) and District Attorney Investigator (DAI) will be employed vertically and full time (FTE 1.0), consistent with the requirement that the program employ at least one DDA and DAI whose primary role is the investigation and prosecution of ORT. We are budgeting each of these two position at a level commensurate with the complexity and importance of the project's goals. We propose to fund an Investigative Technician because ORT investigations will implicate substantial forensic services, e.g., the processing and review of digital devices secured by means of search warrants. We anticipate that the forensic services rendered will exceed this budget item, the balance of which the county will contribute unfunded. The Research Specialist position will be staffed by members of our in-house Data Analytics Unit. The Research Specialist will assist us with compiling the annual data disclosures required by AB 178, assisting the ORT team in evaluating program goals and objectives, and will play a substantial role in our completion of the Local Evaluation Plan and the Local Evaluation Report. DAI overtime will often be necessary to complete investigations that involve location and suspect surveillance, and the execution of search warrants. Personnel expenditures related to the Implementation phase will be contributed by the county unfunded.

2a. Services and Supplies

Description of Services or Supplies	Calculation for Expenditure	Total
Surface Pros	\$1,500 Each x 3.3 FTEs Assigned to Program	\$4,950.00
Cellebrite	\$4,800 Annually x 3 Years	\$14,400.00
Vehicle Lease	\$4,955 Annually x 3 Years	\$14,865.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$34,215.00

2b. Services and Supplies Narrative:

The DAI's investigations and outreach efforts will require the assignment of a county vehicle to the DAI. Under our grant programs we do not typically purchase/capitalize vehicles, but rather lease them. Our office assigns exclusively Microsoft Surface Pro computers to all law-enforcement office personnel, allowing them to work off site or at home. Cellebrite is an industry standard subscription-based software tool that enables law enforcement to collect, review, analyze, and manage digital data, typically that recovered from digital devices seized by means of a search warrant. We project that Cellebrite will become an important tool in the ORT fight.

3a. Professional Services

Description of Professional Service(s)	Calculation for Expenditure	Total
N/A	N/A	\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$0.00

3b. Professional Services Narrative

N/A. Any necessary professional services will be rendered in-house. To the extent that forensic services are rendered beyond the 0.65 FTE assigned to the Investigative Technician under Budget Line Item 1, the county will contribute those services unfunded.

4a. Non-Governmental Organization (NGO) Subcontracts

Description of Non-Governmental Organization (NGO) Subcontracts	Calculation for Expense	Total
N/A	N/A	\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$0.00

4b. Non-Governmental Organization (NGO) Subcontracts Narrative

N/A. At this time we do not project the need for NGO Subcontracts.

5a. Data Collection and Evaluation

Description of Data Collection and Evaluation	Calculation for Expense	Total
N/A	N/A	\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$0.00

5b. Data Collection and Evaluation Narrative

N/A. As expressed in Budget Line Item 1, a Research Specialist position (at a 0.65 FTE) will assist us with compiling the annual data disclosures required by AB 178, assisting the ORT team in evaluating program goals and objectives, and will play a substantial role in our completion of the Local Evaluation Plan (LEP) and the Local Evaluation Report (LER). The data required to be collected and evaluated is that which is readily queried in our existing Case Management System. We recognize that the Budget Instructions stipulate that the applicant must set aside at least 5% of the total grant award towards data collection and evaluation. The budget allocated to the Research Specialist position exceeds 5%. Moreover, we anticipate that Managing DDA Chris Bouffard will be making substantial contributions to the LEP and the LER. The county is contributing MDDA Bouffard unfunded.

6a. Equipment/Fixed Assets

Description of Equipment/Fixed Assets	Calculation for Expense	Total
N/A	N/A	\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$0.00

6b. Equipment/Fixed Assets Narrative

N/A.

7a. Financial Audit

Description	Calculation for Expense	Total
Financial Audit	\$5,000 Annually x 3 Years	\$15,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$15,000.00

7b. Financial Audit Narrative:

In our recent experience with similar grant-funded programs, a \$5,000 annual figure for a financial audit is sufficient.

8a. Other (Travel, Training, etc.)

Description	Calculation for Expense	Total
Sacramento Grantee Team Meetings	Total cost \$7,200 = \$800 per trip x 3 trips x 3 travellers (Breakdown of \$800 trip ticket: Plane Tickets \$300, Hotel \$300, Meals and Incidentals \$75, Parking \$50, Car Rental \$75)	\$7,200.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$7,200.00

8b. Other (Travel, Training, etc.) Narrative:

Our estimate of a \$800 expenditure per person, for a single day trip to Sacramento, is based on actual expenditures related to recent grant-related (non-ORT) trips to Sacramento. We envision that the ORT team will be taking advantage of other training opportunities related to expanding and maintaining our ORT expertise. If necessary, the county will contribute these additional expenditures unfunded.

9a. Indirect Costs

For this grant program, indirect costs may be charged using only one of the two options below:	Grant Funds	Total
1) Indirect costs not to exceed 10 percent (10%) of the total grant award. Applicable if the organization does not have a federally approved indirect cost rate.	\$113,205	\$113,205
<i>If using Option 1) grant funds allocated to Indirect Costs may not exceed:</i>	\$0	
2) Indirect costs not to exceed 20 percent (20%) of the total grant award. Applicable if the organization has a federally approved indirect cost rate. Amount claimed may not exceed the organization's federally approved indirect cost rate.	\$0	\$0
<i>If using Option 2) grant funds allocated to Indirect Costs may not exceed:</i>	\$0	
<i>Please see instructions tab for additional information regarding Indirect Costs. If the amount exceeds the maximum allowed and/or turns red, please adjust it to not exceed the line-item noted.</i>		
TOTAL	\$113,205	\$113,205

9b. Indirect Costs Narrative:

Our office will charge indirect costs based on 10% of the Total Salaries and Benefits Assigned to this program. The indirect costs are to cover support staff salaries not directly billed to the grant, and it also incorporates the general operating cost overhead. All source documentation will be held in compliance with County of Riverside retention policies.