

Title	Sacramento County District Attorney's Office	07/05/2023
	by John Black in Organized Retail Theft Vertical Prosecution Grant Program	id. 41319702
	dagrants@sacda.org	

Original Submission

07/05/2023

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.

Name of Applicant Sacramento County District Attorney's Office

Applicant's Physical Address 901 G St
Sacramento
CA
95814
US

Applicant's Mailing Address (If different than physical address) n/a

Mailing Address for Payment 901 G St
Sacramento
CA
95814
US

Tax Identification Number 94-6000529

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 Tan
Thin

Project Director's Title **Asst Chief DDA**
with
Agency/Department/Organization

Project Director's Physical Address **901 G St
Sacramento
CA
95814
US**

Project Director's Email Address **thinht@sacda.org**

Project Director's Phone Number **+19168746819**

Financial Officer **Yadira
Sandoval**

Financial Officer's Title **Senior Accounting Manager**
with
Agency/Department/Organization

Financial Officer's Physical Address **901 G St
Sacramento
CA
95814
US**

Financial Officer's Email Address **sandovaly@sacda.org**

Financial Officer's Phone Number **+19168746749**

Day-To-Day Program Contact **Charlez
Gonzalez**

Day-To-Day Program Contact's Title **Principal Criminal Attorney**

Day-To-Day Program Contact's Physical Address **901 G St
Sacramento
CA
95814
US**

Day-To-Day Program Contact's Email Address **gonzalezc@sacda.org**

Day-To-Day Program Contact's Phone Number **+19168747312**

Day-To-Day Fiscal Contact **Rachel
Montesinos**

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

Day-To-Day Fiscal Contact's Physical Address	901 G St Sacramento CA 95814 US
Day-To-Day Fiscal Contact's Email Address	montesinosr@sacda.org
Day-To-Day Fiscal Contact's Phone Number	+19168741846
Name of Authorized Officer	Thien Ho
Authorized Officer's Title with Agency/Department/Organization	District Attorney
Authorized Officer's Physical Address	901 G St Sacramento CA 95814 US
Authorized Officer's Email Address	hot@sacda.org
Authorized Officer's Phone Number	+19168749024
Authorized Officer Assurances	checked
SECTION III - PROGRAM INFORMATION	This section requests a Proposal Summary description and identification of the Funding Category.
Project Title	Sacramento County District Attorney's Office – Grant Application to fund a Vertical Prosecution Deputy District Attorney and Criminal Investigator for Organized Retail Theft
Proposal Summary	The Sacramento County District Attorney's Office will create a vertical prosecution unit consisting of a Deputy DA and one Investigator that will investigate and prosecute Organized Retail Theft (ORT). The unit will handle all eligible ORT cases in Sacramento County. This unit will work with local law enforcement agencies, California Highway Patrol and the Office of the Attorney General, to create a regional task force to work collaboratively to address the problem. The task force will work with local businesses to develop new methods to combat ORT, and seek to identify, arrest and prosecute higher level offenders who recruit others to participate in ORT.
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.

Proposal Narrative
Instructions

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

California Attorney General Rob Bonta has described Organized Retail Theft as crime perpetrated by organized criminal rings that steal retail property with the intent to re-sell, distribute or return the property for value. It often takes the form of coordinated, orchestrated attacks on local retailers, affecting the safety and well-being of California consumers, workers, and businesses.

California Governor Gavin Newsom has acknowledged that the current level of Organized Retail Theft is “simply unacceptable,” and has stated his intention to take aggressive action to curtail retail crime.

According to the National Retail Federation, Sacramento County has held a spot in the Top Ten metropolitan areas most affected by ORT over the last four years. Further, they listed Sacramento as the 7th most highly affected area for ORT in the nation in 2021.

In response to this problem, CHP set up three regional Organized Retail Crime Task Forces (ORCTF). The three task forces are located in the Bay Area, Los Angeles, and San Diego/Orange County. An ORCTF does not currently exist in Sacramento or the Central Valley. (As discussed below, an ORT collaborative meeting is held monthly with local agencies and retailers.)

Under the current prosecution model, these ORT cases are generally prosecuted as misdemeanors, where the lower-level offenders recruited to carry out the attacks are apprehended at the scene, but often are caught with less than \$950 worth of merchandise individually, making them ineligible for a felony charge. As a result, these lower-level offenders are often charged with simple shoplifting or petty theft. Further, the upper-level offenders who coordinate the attacks and recruit others to carry them out often avoid detection or arrest entirely. It is, in essence, analogous to other forms of organized crime, where greater resources are needed to address the individuals with the greatest actual responsibility for driving this activity.

Since the passage of Penal Code section 490.4, targeting ORT, Sacramento County prosecuted a total of six (6) cases charging this statute in 2021. This number rose to twenty (20) ORT prosecutions in 2022. In the first quarter of 2023 alone, our office has already prosecuted seven (7) cases charging PC 490.4 violations. Although a significant increase, these numbers only scratch the surface of addressing the extent of the problem.

Currently, these cases are distributed among our general felony teams comprised of less experienced attorneys who carry an overwhelming caseload. Staffing shortages and COVID-19 related case backlogs may cause these ORT cases to receive less attention than they fully deserve.

Sacramento County would greatly benefit from the funds necessary to create a vertical prosecution unit consisting of one Deputy District Attorney and one Criminal Investigator whose primary role is the investigation and prosecution of ORT. The DA's Office is expected to experience a year when only a small number of growth requests for new positions will be approved for the coming fiscal year. Lawsuit costs, investments in the county jails, decreases in state and federal funds for certain programs, the impact of COVID -19 and other obligations have negatively impacted the County Budget. As a result, grant funds totaling (\$2,050,000) are requested to pay for the salaries and benefits of one Deputy District Attorney Level V and salaries, benefits, and overtime for one Criminal Investigator Level II and related vehicle costs. The remaining funds would be used to pay for expenses to attend any relevant training conference or Regional Task Force meetings as necessary.

Project Description

The Sacramento County District Attorney's Office proposes to establish a Vertical Prosecution Unit consisting of one Deputy District Attorney (Level V) and

one Criminal Investigator (CI) Level II whose primary role is the investigation and prosecution of Organized Retail Theft in the County of Sacramento. The ORT Vertical Prosecution Unit would be contained within the Special Investigations Unit of the DA's Office, which focuses on Financial Crimes, and is overseen by a Supervising Deputy District Attorney.

The ORT Vertical Prosecution Unit would focus on retail theft throughout the entirety of the County. However, as data is collected, if a certain spike in activity within the County is identified as needing particular attention, the unit would be able to target its efforts accordingly.

The ORT Vertical Prosecution Unit would provide full service from the beginning to the end of a prosecution, from filing to sentencing. They would provide a single point of contact for both law enforcement and victims and witnesses throughout the process. More importantly, however, the unit will be able to take additional investigative steps prior to and during the pendency of cases to identify and apprehend the upper-level offenders responsible for organizing and coordinating much of the ORT activity and recruiting lower-level offenders to carry out the retail theft raids or attacks. The unit would provide service to both law enforcement and victim-retailers.

The ORT Vertical Prosecution Unit would have three primary objectives:

1. To create an Organized Retail Crime Task Force for the Sacramento Area.

The National Retail Federation identified Sacramento as the 7th most affected metropolitan area for ORT in the United States in 2021. California has established ORT Task Forces for the Bay Area, Los Angeles and San Diego/Orange County. However, no such Task Force exists in Sacramento or the Central Valley. The grant funds will help the vertical prosecution unit to partner with the AG's Office, CHP and local law enforcement agencies to create a Task Force in Sacramento.

Their activities would include: arranging and hosting meetings; setting agendas; meeting with local businesses and local chambers of commerce to develop strategies; doing outreach to notify businesses of this resource, such as designing and implementing a tip line or website to report suspected ORT offenses; utilizing CrimeDex, an online community of fraud, loss prevention, and law enforcement professionals to share data; utilizing APBnet, an online sharing program that allows law enforcement agencies to send relevant bulletins locally, regionally or state or nationwide for a variety of crimes, including ORT; and corresponding with other agencies to develop and carry out larger strategic operations designed to identify and apprehend the upper-level offenders driving most of this ORT activity.

Additionally, the victim-retailers and their asset protection services are familiar with many of the suspects. Their knowledge and experience should be part of the solution in addressing this problem. For example, the California Retailers Association, which often works with the Governor's Office, should be included in the work of the task force.

Currently, CHP facilitates a monthly Sacramento Regional Organized Retail Crime collaborative meeting that includes retail professionals, law enforcement and prosecutors. This group includes members from Sacramento, San Joaquin and Placer Counties. CHP Investigator Jason Craven has taken a leading role in this group. The grant funds would allow the Sacramento Deputy District Attorney and Investigator to work to expand and improve the efforts of this group into a full Regional Task Force. This collaboration would encourage networking and teamwork among all parties, establish proactive relationships well before ORT even occurs, and build a successful and prosecutable case. Retail professionals would also learn the importance of documenting and maintaining evidence in

this regard.

The Sacramento DA's Office is aware that a grant is currently being offered to state and local agencies to combat ORT. We look forward to partnering with and providing leadership to these agencies as the increased funding provides agencies with sufficient resources to undertake this challenge more effectively.

2. To identify and prosecute the higher-level offenders most responsible for coordinating the increase in ORT activity.

As discussed above, the National Retail Federation ranked Sacramento as the 7th most affected area for ORT in the United States for 2021. Evidence suggests that a small number of upper-level offenders recruit teams of lower-level offenders to target certain retail businesses "en masse" for large-scale theft. The upper-level offenders then "fence" or re-sell the stolen property for tremendous profit. These re-sales often take place online or on social media at websites such as Facebook Marketplace.

Currently, the existing prosecution model only addresses the lower-level offenders who happened to be arrested at the scene. Funding from this grant would allow the Deputy District Attorney and Investigator to work with the Regional Task Force and local law enforcement agencies (LEAs) to investigate "up the chain" to identify and prosecute the upper-level offenders most responsible.

These investigative steps would include: writing search warrants for the cell-phone information from lower-level offenders to attempt to identify individuals directing or coordinating their ORT activity; reviewing social media activity of lower-level offenders to attempt to identify co-conspirators; utilizing search warrants or other investigative methods to identify online merchandisers operating as part of an ORT scheme; pursuing cooperation agreements, when appropriate, to acquire information from arrested ORT defendants towards the successful prosecution of managing offenders; and coordinating with other ORT Regional Task Forces to deploy investigative methods that have proven to be successful.

Further, data suggests that a large number of known offenders commit multiple offenses in multiple locations. This grant will also be used to develop and implement a tracking system to more effectively identify and target the most habitual offenders.

Penal Code section 490.4(a)(4) provides for greater punishment of the organizing or managing offenders running ORT schemes, regardless of the number or prior offenses or whether the value of goods stolen exceeds \$950. This demonstrates the intent of the legislature to treat these managing offenders more severely. Accordingly, the intent of the Sacramento DA's Office would be to seek sentences proportionally appropriate to the level of culpability of the offenders based on their level of involvement, prior record, and the severity of the instant offense.

ORT investigations can uncover larger activities including money laundering, drugs, identity theft, robbery, and guns. ORT is a precursor of major crimes. It should not be allowed to continue to grow unfettered.

3. To impose proportional sanctions or punishment appropriate to the level or culpability of the offender.

As discussed above, Penal Code Section 490.4 acknowledges that not all ORT defendants share the same level of culpability. Defendants who recruit, manage or coordinate others into carrying out these offenses should be sentenced more

severely.

Similarly, lower-level offenders recruited into the scheme must be evaluated individually. Where appropriate, the DA's Office would partner with local law enforcement, court staff and approved diversion provider programs to reach the proper resolution for each case. In Sacramento, diversion programs are offered by providers like Pacific Educational Services, Advent e-learning and Course for Courts. The goals of these diversion programs are to reduce recidivism and provide meaningful education as to the consequences of participation in these schemes for the offender and creating an awareness of their effects on the community.

The success of the existing regional task forces has been significant. In San Diego, a task force operation led to the arrests of 40 suspects, the recovery of over \$50 million in stolen goods and took down an operation believed to be responsible for over \$150 million in retail theft. As the ORT problem increases, and offenders look to new and more vulnerable targets, Sacramento should take the appropriate action to protect the consumers and retailers in the area from the worst effects of this problem.

With the funds provided from this grant, the Sacramento County District Attorney's Office will have the staffing, resources, and ability to initiate and administer the Organized Retail Theft Vertical Prosecution Program.

The Vertical Prosecution Unit would be staffed by one Deputy District Attorney (DDA) and one Criminal Investigator. The DDA would be at the level of an Attorney V, representing a more senior attorney capable of handling complex cases including, but not limited to, grand theft, burglary, receipt of stolen property, identity theft, conspiracy, and aiding and abetting theories. The Criminal Investigators Level II are all sworn peace officers and have extensive investigative experience in complex cases such as grand theft, burglary, receipt of stolen property, identity theft, conspiracy and aiding and abetting theories. In an office of approximately 180 lawyers and approximately 42 Criminal Investigators., the DA's Office would already have qualified personnel who are available to fill these newly created positions.

The ORT Vertical Prosecution Unit would be housed in the Special Investigations Unit of the DA's Office. The Special Investigations Unit is supervised by a Supervising Deputy District Attorney who manages the unit and would guide the efforts of the ORT Vertical Prosecution Team. Day-to-day decisions would be made by the assigned ORT DDA, overseen by the Supervising Deputy District Attorney. Those decisions would be subject to one additional level of oversight by the Assistant Chief Deputy District Attorney who oversees the Justice, Integrity and Financial Crimes Bureau.

The administrative division of the DA's Office also employs financial professionals experienced in managing grant funding so that adequate records exist to ensure the grant funds are spent as directed. Additionally, administrative staff already existing in the DA's Office are experienced in collecting relevant statistics for grant reporting purposes.

Given the existence of qualified staffing, it is believed that the Vertical Prosecution Unit could begin operations very quickly after funding is awarded.

If the grant is awarded, it is anticipated that the ORT Vertical Prosecution Unit would coordinate with the AG's Office, CHP, and local law enforcement agencies to create and direct a Regional Organized Retail Crime Task Force. It is believed that various local police agencies are applying for the ORC grant and would be interested in participating in the Regional Task Force. Which specific agencies will participate is not yet clear. However, it does not appear that any contracts with these agencies will be required. The ORT Vertical Prosecution Unit would also coordinate with the local law enforcement agencies, the AG, and CHP in investigating these crimes to the extent possible.

The grant funding is set to expire on January 1, 2027. In order to continue the ORT project after the grant funds expire, the DA's Office would need to seek funding from the County Board of Supervisors general fund. Although it is impossible to determine what the County budget forecast will be in four years, we hope and expect that this unit will establish a track record of success that will justify and enable its continued funding as part of the Special Investigations Unit. Therefore, it would be the intent of the DA's Office to seek general fund support for the continuation of the ORT Vertical Prosecution Unit.

Project Evaluation and Monitoring

As discussed above, the ORT Vertical Prosecution Team will consist of a DDA Level V and a Criminal Investigator Level II whose primary role is the investigation and prosecution of ORT cases. They will be supervised by a Supervising Deputy District Attorney in the Special Investigations Unit. The Supervising Deputy District Attorney and the Assistant Chief Deputy District Attorney will be responsible for monitoring the unit to ensure it functions as intended.

It is anticipated that the Vertical Prosecution team, in cooperation with the AG's Office, CHP and the various other local law enforcement agencies currently applying for the ORT grants will generate a significant number of cases to investigate and prosecute.

Data collection to track the performance measures will be collected by the Vertical Prosecution team, in cooperation with the Special Investigations Unit Legal Secretary. The Legal Secretary will maintain a log and communicate the data to the DDA. The DDA will report the data as required by the grant. Information will be collected regarding the following:

- Number of ORT investigations referred to our office;
- Number of ORT cases filed;
- Number of Defendants on cases filed;
- Number of ORT convictions on cases filed;
- Severity of sentences obtained on cases filed;
- Number of ORT defendants referred to diversion programs;
- Number of ORT defendants with diversion successfully completed;
- Number of ORT cases filed that used Vertical Prosecution;
- Total number of theft-related property crimes that were charged that did not use Vertical Prosecution.

At the close of the grant period, the Vertical Prosecution DDA will work with the Supervising Principal DDA to evaluate the data collected and compare it to the years prior to the grant period to evaluate the success of the program.

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.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.docx](#)

Grantee Assurance for Non-Governmental Organizations (Appendix D)

[Organized_Retail_Theft_Vertical_Prosecution_Grant_Program_-_Non-Governmental_Organization_Assurances.pdf](#)

Letter(s) of Commitment, (Appendix E) n/a

Certification of Compliance with BSCC Policies on Debarment, Fraud, Theft, and Embezzlement (Appendix F)
[Certification_of_Compliance_with_BSCC_Policies_on_Debarment_Fraud_Theft_and_Embezzlement.pdf](#)

OPTIONAL: Governing Board Resolution (Appendix G) n/a

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:	<p>> To create a Regional Task Force to combat organized retail theft in the Sacramento area.</p> <p>The National Retail Federation identified Sacramento as the 7th most affected metropolitan area affected by ORT in the United States in 2021.</p> <p>The state has created ORT task forces in the Bay Area, Los Angeles and San Diego/Orange County. However, no such task force exists in Sacramento. This grant should be used to partner with the AG’s Office, CHP and local law enforcement agencies to create a regional task force in Sacramento to address Organized Retail Theft.</p>		
Objectives (A., B., etc.)	> A		
Process Measures and Outcome Measures:	<p>> The success of the ORT Regional Task Force can be measured in the number of partner agencies joining the task force, the number of meetings held on the issue, the quality of the actions it implements, the extent of the outreach to local businesses and local chambers of commerce, and the number of cases filed and successful prosecutions completed as compared to the time period before the grant.</p>		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date

<p>> The grant would fund a DDA and a Criminal Investigator in the Sacramento District Attorney’s Office. The DDA and the CI would be responsible for vertical prosecution of Organized Retail Theft cases. They would focus on targeting upper-level offenders who coordinate and recruit others to commit the largest volume of ORT offenses.</p> <p>Additionally, the DDA and the CI would partner with the AG’s Office and CHP in creating and leading a Sacramento Regional ORT Task Force. Their activities would include the following: arranging and hosting meetings; setting agendas; meeting with affected businesses and local chambers of commerce to develop strategies to combat ORT; and doing outreach to notify businesses of this resource.</p>	<p>> The grant would fund a DDA and a Criminal Investigator to address the issue of ORT. The DDA and CI would be a member of the Special Investigations Unit of the Sacramento DA’s Office, which focuses on financial crimes and public corruption. The Special Investigations Unit is overseen by a Supervising Deputy District Attorney.</p> <p>The DDA and the CI would partner with the AG’s Office, CHP and local law enforcement agencies. Currently, CHP facilitates a monthly Sacramento Regional Organized Retail Crime collaborative meeting that includes retail professionals, law enforcement and prosecutors. This group includes our partners from Sacramento County, Placer County and San Joaquin County. CHP Investigator Jason Craven has taken a leading role in this group. The funding of this grant would allow the DDA and CI</p>	<p>> 1/1/2024</p>	<p>> 1/1/2027</p>
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	to improve the working of this group and expand it into a full Regional Task Force.		
<p>List data and sources to be used to measure outcomes: > In addition to case prosecution statistics, this group would utilize data from CrimeDex. CrimeDex is an online community of fraud investigators, loss prevention agents and law enforcement professionals.</p> <p>Data would also be used and sent to APBnet, an online sharing program that allows law enforcement agencies to send relevant bulletins for a variety of crimes, including ORT, locally, regionally or state or nationwide.</p>			

(2) Goal:	<p>> > To identify and prosecute the higher-level offenders most responsible for coordinating the increase in ORT activity.</p> <p>As discussed above, the National Retail Federation ranked Sacramento as the 7th most affected metropolitan area affected by ORT in the United States. Evidence suggests that a small number of upper-level offenders recruit teams of lower-level offenders to target certain retail businesses “en masse” for large scale theft. The upper-level offenders then “fence” or re-sell the stolen property at tremendous profit. These re-sales can often be through online retailers or social media such as Facebook Marketplace.</p> <p>Currently, the existing prosecution model only addresses any lower-level offenders who happen to be apprehended in the act of the theft. Funding from this grant would allow the DDA and CI to work with the regional ORT task force to investigate “up the chain” to identify and prosecute the upper-level offenders most responsible for this problem.</p>
Objectives (A., B., etc.)	> B
Process Measures and Outcome Measures:	<p>> In 2021, California enacted Penal Code section 490.4 to address the issue of ORT.</p> <p>PC section 490.4(a)(4) targets any individual who “recruits, coordinates, organizes, supervises, directs, manages or finances” anyone engaging in ORT. Violation of this section may be punished pursuant to PC section 1170(h)</p>

	<p>regardless of whether or not the value of the property stolen exceeded \$950 or whether or not the offender has any prior convictions for this offense. This section indicates the intention of the legislature to treat these “managing” offenders more severely.</p> <p>The success of the grant-funded vertical prosecution team can be measured in case statistics showing the number of cases filed and the resulting convictions and sentences.</p> <p>The intent of the DA’s Office would be to seek sentences proportionally appropriate to the culpability of the offender based on their level of involvement, prior record and severity of the instant offense.</p>		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
<p>> In addition to prosecuting offenders arrested by local law enforcement agencies, the DDA and CI would take additional steps to identify and prosecute the higher-level offenders. These steps may include the following: Writing search warrants for the cellphone information from arrested offenders to attempt to identify individuals directing or coordinating their activity; reviewing social media activity of lower-level offenders to attempt to identify coconspirators; pursuing cooperation agreements, when appropriate, to acquire information towards the successful prosecution of managing offenders.</p>	<p>> As discussed above, the DDA and CI would engage in vertical prosecution of apprehended offenders, as part of the Special Investigations Unit in the DA’s Office. This unit is overseen by a Supervising Deputy District Attorney.</p> <p>Additionally, the DDA and CI would coordinate with the AG’s Office, CHP and local law enforcement agencies and local businesses to identify upper-level offenders. Currently, the Sacramento Regional Organized Retail Crime collaborative meeting addresses these issues, including partners from Sacramento, Placer and San</p>	<p>> 1/1/2024</p>	<p>> 1/1/2027</p>

	Joaquin counties. The grant would allow for the improvement and expansion of these activities.		
<p>List data and sources to be used to measure outcomes: > Case prosecution statistics would be the primary metric used to measure program success, including the number of cases filed and the resulting number of convictions and sentences imposed.</p> <p>The percentage of cases prosecuted under PC section 490.4(a)(4), as opposed to subsections (a)(1) through (a)(3), would be a good measure of the program's success in identifying upper-level offenders.</p>			

(3) Goal:	<p>> To impose proportional sanctions or punishment appropriate to the level of culpability or involvement of the offender.</p> <p>PC section 490.4 acknowledges that not all offenders who violate this section should be treated the same. Offenders who manage, recruit or coordinate others to participate in ORT should be treated more severely. Lower-level offenders recruited to participate should be treated more leniently and be sentenced as misdemeanants or even admitted to diversion where appropriate.</p>		
Objectives (A., B., etc.)	> C		
Process Measures and Outcome Measures:	> Program success can be measured both by case statistics showing the number of cases filed and their accompanying resolutions and sentences, and by measuring the frequency of recidivism by offenders participating in the diversion programs.		
Project activities that support the identified goal and objectives:	Responsible staff/partners	Timeline	
		Start Date	End Date
> The designated DDA and CI will employ a vertical prosecution model. This will allow them to spend more time with each case than a DDA assigned to the general calendar courts. The designated DDA will be better situated to make appropriate case-resolution decisions.	> As discussed above, the DDA and CI will be part of the Special Investigations Unit, overseen by a Supervising Deputy District	> 1/1/2024	> 1/1/2027

	<p>Attorney. They will partner with local law enforcement agencies, court staff and diversion-provider programs to reach the appropriate resolution to each case. In Sacramento, diversion programs are offered by Pacific Educational Services, Advent e-learning and Course for Courts.</p>		
<p>List data and sources to be used to measure outcomes: > Case prosecution statistics can be tracked to measure the success of the program. These include the following: the number of cases referred to our office; the number of cases filed; the severity of the cases filed (misdemeanor vs. felony); the number of convictions and their severity; the number of cases referred to diversion programs; the number of cases referred to diversion that were successfully completed; the number of cases filed against defendants previously submitted to diversion; and the amount of restitution ordered and collected.</p>			

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

Name of Applicant: Sacramento 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	\$1,856,142.00
2. Services and Supplies	\$0.00
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	\$27,676.00
7. Financial Audit (Up to \$25,000)	\$15,000.00
8. Other (Travel, Training, etc.)	\$3,800.00
9. Indirect Costs	\$147,382.00
TOTAL	\$2,050,000.00

1a. Salaries & Benefits

Description of Salaries & Benefits	(% FTE or Hourly Rate) & Benefits	Total
Attorney V (10/1/2023-6/30/2027)	100% - Premium/RHSP/401A/Retirement/FICA/Health Insurance	\$968,628.00
Criminal Investigator II (10/1/2023-12/31/2026)	100% - 20% Incentive (POST)/RHSP/401A/Retirement/FICA/Health Insurance	\$704,955.00
Supervising Attorney (10/1/2023-6/30/2027)	10% - Premium/RHS/401A/Retirement/FICA/Health Insurance	\$135,877.00
Legal Secretary (1/1/2024-12/31/2026)	15% - RHS/Retirement/FICA/Health Insurance	\$46,682.00
TOTAL		\$1,856,142.00

1b. Salaries & Benefits Narrative:

Attorney V and Criminal Investigator II will work full time (100%) to address the issue of Organized Retail Theft in the County of Sacramento. Activities include but not limited to investigation, prosecution, arranging and hosting meetings, setting agendas, meeting with affected business and local chamber of commerce to develop strategies to combat organized retail theft. The Supervising Attorney will work 10% on Organized Retail Theft Program Grant to ensure that objectives and goals are being met. Legal Secretary will work 15% of time and primary functions will be to gather data and maintain a database that will assist with the measurement of the goals and objectives of the grant.

2a. Services and Supplies

Description of Services or Supplies	Calculation for Expenditure	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$0.00

2b. Services and Supplies Narrative:

N/A

3a. Professional Services

Description of Professional Service(s)	Calculation for Expenditure	Total
		\$0.00
		\$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

4a. Non-Governmental Organization (NGO) Subcontracts

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

5a. Data Collection and Evaluation

Description of Data Collection and Evaluation	Calculation for Expense	Total
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$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

6a. Equipment/Fixed Assets

Description of Equipment/Fixed Assets	Calculation for Expense	Total
Vehicle Usage	(\$9,646 (2023-2024)/\$9,000 (2025)/\$9,000 (2026))	\$27,676.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTALS		\$27,676.00

6b. Equipment/Fixed Assets Narrative

Vehicle is for Criminal Investigator II. Criminal Investigator II will use vehicle for investigations, meetings, and outreach.

7a. Financial Audit

Description	Calculation for Expense	Total
Financial Audit		\$15,000.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL		\$15,000.00

7b. Financial Audit) Narrative:

Financial Audit to cover period of October 1, 2023 to December 31, 2026. Audit will be performed by a Certified Public Accountant.

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

Description	Calculation for Expense	Total
CDAА Conference	\$500 (per individual) * 2	\$1,000.00
Flight to Conference	\$700 (roundtrip) * 2	\$700.00
Lodging	\$200/per night (4) - \$800 * 2	\$1,600.00
Food	\$250/per individual * 2	\$500.00
		\$0.00
		\$0.00
TOTAL		\$3,800.00

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

Criminal Investigators and Attorney V will attend CDAA Conference to maintain certification requirements.

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.	\$147,382	\$147,382
<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	\$147,382	\$147,382

9b. Indirect Costs Narrative:

Indirect costs: Workers' Compensation Insurance; Unemployment Insurance; Liability Costs; Facility Costs; Office Supplies; Accounting Staff (Grant Manager Time). Our Office will create a new cost center to maintain costs related to the grant separate from other expenses. Costs only related to the grant will be posted to the cost center and each cost will have supporting documentation. For Staff's time, accounting staff will maintain records of how much time they are spending managing the grant. For other costs, our office will maintain records on how the costs were allocated.