

OFFICE OF THE ATTORNEY GENERAL
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CALIFORNIA WITNESS RELOCATION AND ASSISTANCE PROGRAM



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



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Executive Summary

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

This report summarizes the CalWRAP activities during the fiscal year (FY) reporting period of July 1, 2020 to June 30, 2021. During this reporting period, the CalWRAP managed 412 cases, including 298 cases that were opened in FY 2018-2019 and FY 2019-2020, and 114 new cases that were opened in FY 2020-2021. The program closed 247 cases, leaving 165 active cases on June 30, 2021.

The 114 new cases provided services to 124 witnesses and their 161 family members. During their participation in the CalWRAP, the witnesses provided testimony against 201 violent offenders. There were 87 gang-related cases, 10 high-risk crimes cases, 7 domestic violence cases, 5 human trafficking cases, 4 narcotics trafficking cases, and 1 organized crime case. Homicide and attempted homicide accounted for 76 percent of the case charges. Assault accounted for 8 percent, and the remaining 16 percent of the cases involved kidnapping, threats, human trafficking, robbery, rape, criminal conspiracy, sexual assault, and felons with a firearm.

A total of \$2,354,000 was allocated to the CalWRAP for distribution to California state and local agencies in FY 2020-2021. The program distributed \$320,709 of the \$2,354,000 as of June 30, 2021, with the remaining balance available for agencies to support the cases they opened during FY 2020-2021 for an additional two-year period.

Utilizing all three active years of funding, the program processed 281 claims for reimbursement during this reporting period, totaling \$1,629,777 in authorized witness expenditures to 25 California agencies. Pursuant to Penal Code section 14027(b), agencies are required to apply a 25 percent match for reimbursement claims.

The CalWRAP expended \$122,000 on administrative costs in FY 2020-2021, which included personnel resources and general operating expenses. The CalWRAP analyst continues to provide program training to state and local agencies throughout California as requested. The CalWRAP is currently administered by the California Department of Justice Division of Law Enforcement.

Case Statistics

During the reporting period, the CalWRAP was responsible for the administration of three fiscal year appropriations: Chapter 06/20 (FY 2020-2021), Chapter 23/19 (FY 2019-2020), and Chapter 29/18 (FY 2018-2019). The program provided service for 412 cases, including 298 previously-approved cases and 114 new cases. As of June 30, 2021, the program has closed 247 cases, leaving 165 cases active (see Table 1).

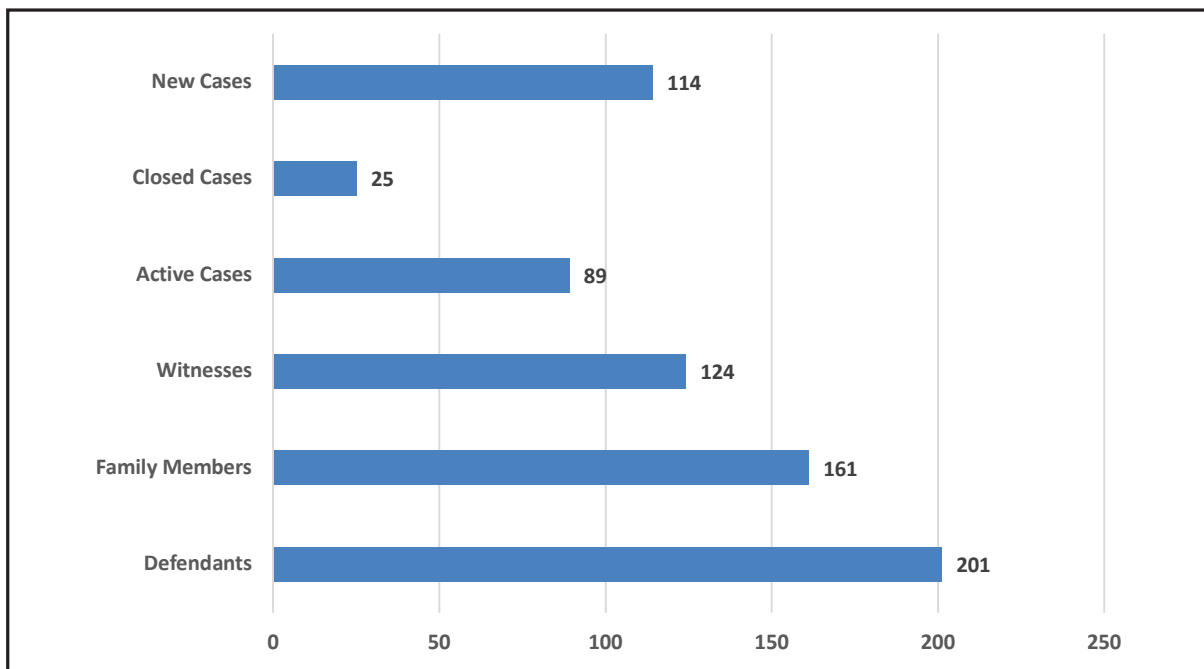
Table 1 — Case Statistics for All Chapter Funds as of June 30, 2021

Chapter Fund	New or Existing Cases	Closed Cases	Active Cases	Witnesses	Family Members	Defendants
6/20	114	25	89	124	161	201
23/19	149	73	76	172	213	264
29/18*	149	149	0	159	248	356
Totals	412	247	165	455	622	821

* Chapter 29/18 closed on June 30, 2021.

The 114 new CalWRAP cases approved during FY 2020-2021 (Chapter 06/20) provided for the relocation of 124 testifying witnesses and 161 family members. The witnesses testified in cases brought against 201 defendants (see Chart 1).

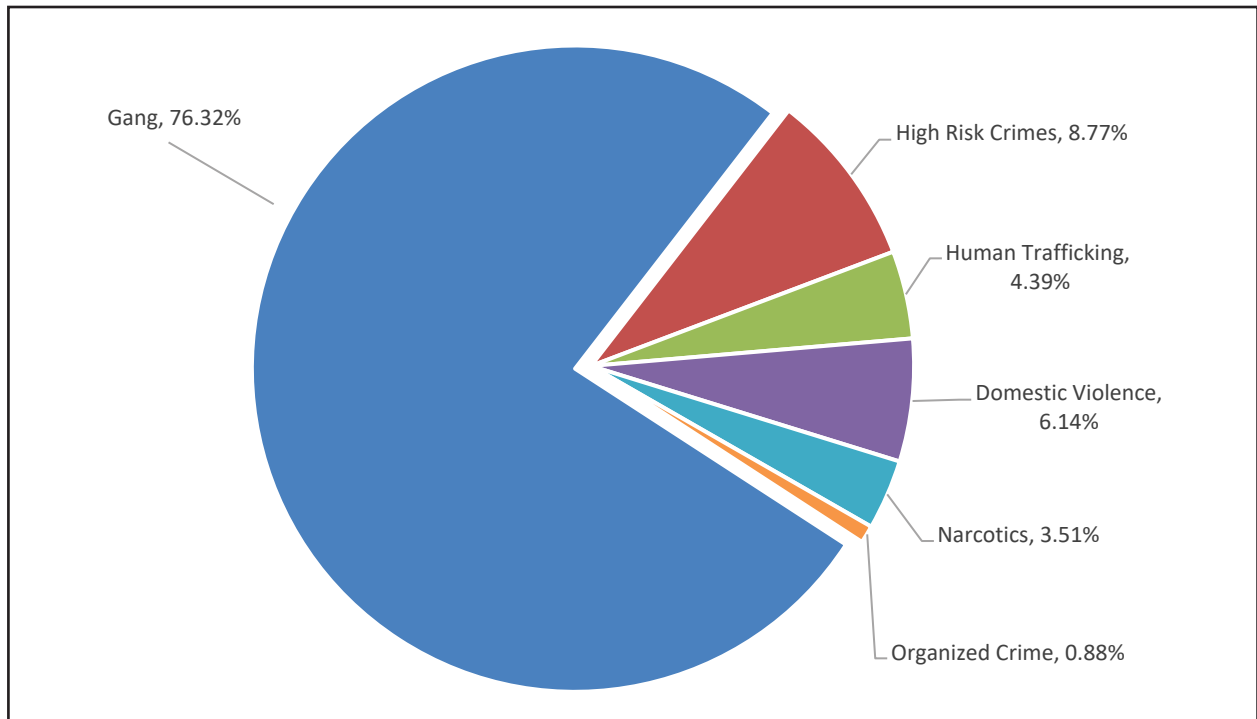
Chart 1 — New Case Activity During FY 2020-2021 (Chapter 06/20)



Cases Submitted for Funding

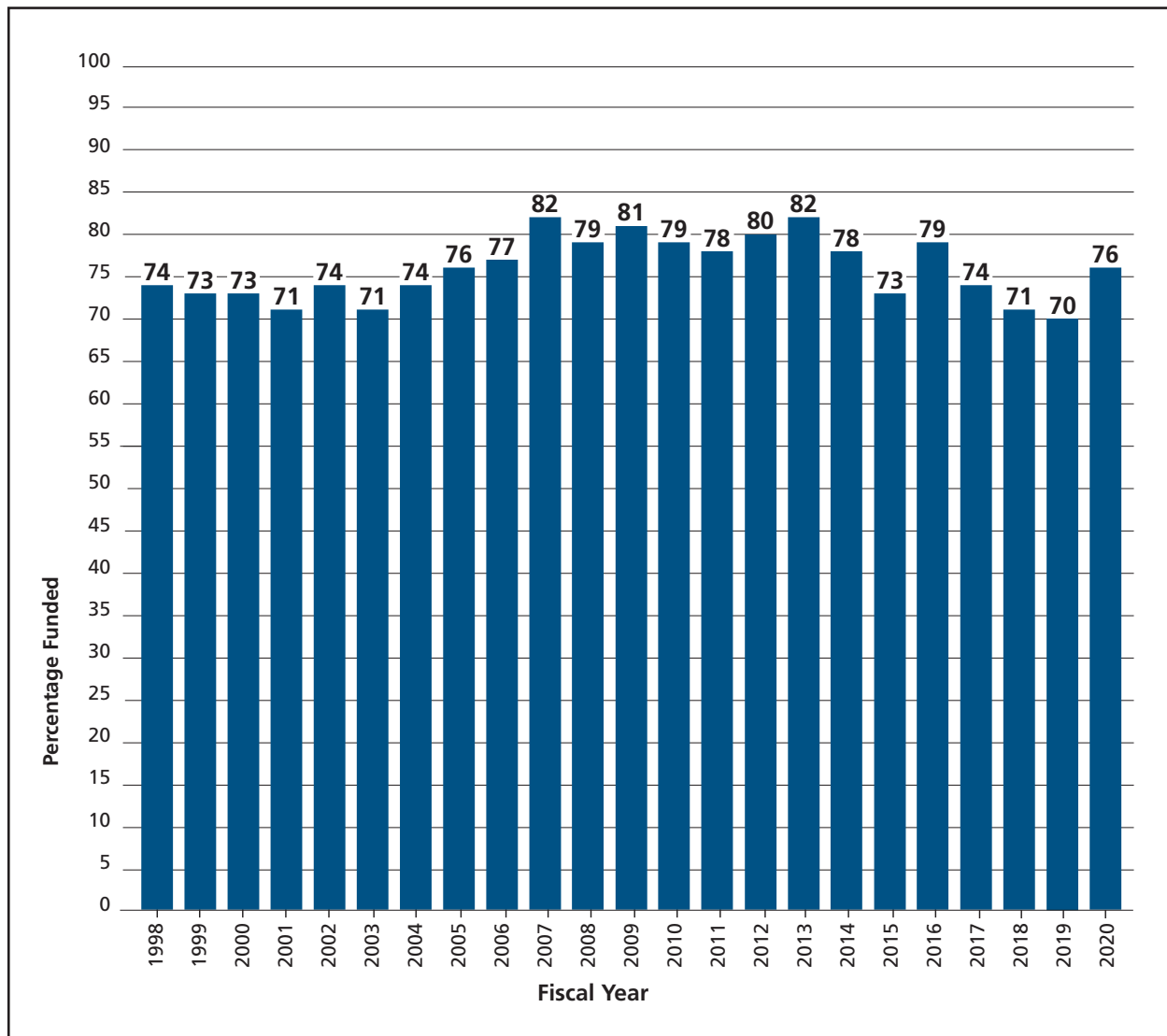
There were 114 new cases submitted and approved by the CalWRAP for the period of July 1, 2020, through June 30, 2021, which included: 87 gang-related cases (76.32 percent), 10 high-risk crimes cases (8.77 percent), 5 human trafficking cases (4.39 percent), 7 domestic violence cases (6.14 percent), 4 narcotics trafficking-related cases (3.51 percent), and 1 organized crime case (0.88 percent). (See Chart 2.)

Chart 2 — Types of Cases Submitted and Approved for Funding (FY 2020-2021)



Since the inception of the program in January of 1998, the percentage of gang-related cases has averaged 76 percent. Chart 3 depicts the actual percentage of gang-related cases approved between FY 1998-1999 and FY 2020-2021.

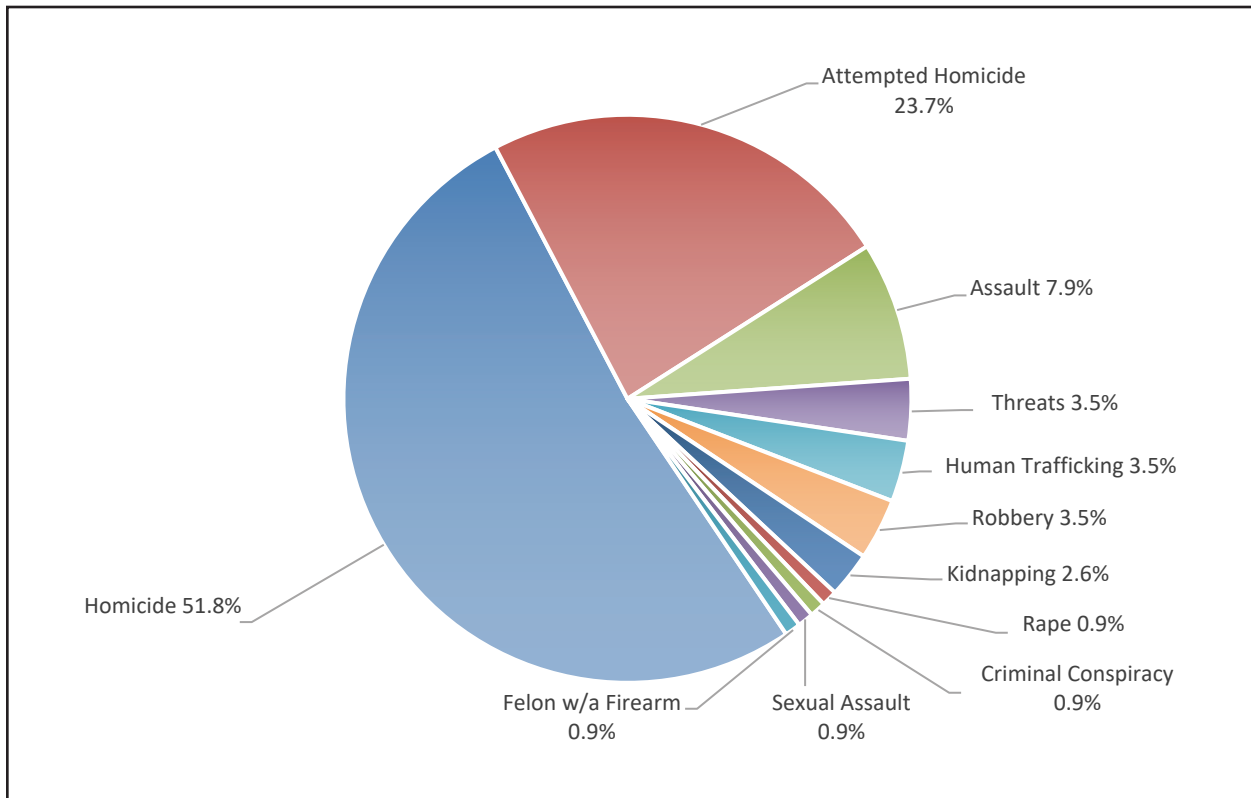
Chart 3 — Percentage of Gang-Related Cases Funded Each Fiscal Year



Charges Filed on Cases

During the FY 2020-2021 reporting period, homicide and attempted homicide charges accounted for 75.5 percent of the 114 new cases. The remaining charges filed included 7.9 percent for assault charges; 3.5 percent for threats; 3.5 percent for human trafficking; 3.5 percent for robbery; 2.6 percent for kidnapping; 0.9 percent for rape; 0.9 percent for criminal conspiracy; 0.9 percent for sexual assault; and the remaining 0.9 percent for felons with a firearm. Chart 4 is a visual representation of the types of charges filed on the approved cases.

Chart 4 — Types of Charges Filed on Cases (FY 2020-2021)



Local Assistance

The CalWRAP's local assistance appropriation (monies available to state and local agencies to support witness relocation cases) for FY 2020-2021 was \$2,354,000. As of June 30, 2021, the program distributed \$320,709 and the remaining balance of \$2,033,291 is available for state and local agencies to support the cases they opened during FY 2020-2021 for a period of two additional years. Table 2 illustrates the status of the Chapter 06/20 fund as well as the two prior FY funds, Chapters 23/19 (FY 2019-2020) and 29/18 (FY 2018-2019), that were also administered by the program during this reporting period. The Chapter 29/18 fund closed on June 30, 2021.

Table 2 — Local Assistance Balances as of June 30, 2021

Chapter Fund	Beginning Funds	Expended Funds	Remaining Balance
6/20 (FY 20-21)*	\$2,354,000.00	\$320,708.62	\$2,033,291.38
23/19 (FY 19-20)*	\$2,354,000.00	\$1,016,937.95	\$1,337,062.05
29/18 (FY 18-19) †	\$2,354,000.00	\$1,547,225.87	\$806,774.13

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

† Chapter 29/18 closed on June 30, 2021.

Reimbursements to Agencies

In FY 2020-2021, the CalWRAP staff processed 281 reimbursement claims totaling \$1,629,777 submitted by 25 state and local agencies. The approved reimbursement claims reflect a monthly average of \$135,815 utilized for witness or sworn law enforcement expenses.

Table 3 reflects the total expenses approved for each active chapter fund during FY 2020-2021 and the total number of reimbursement claims processed for each year's appropriation. Reimbursements support various services required by relocated witnesses and family members, such as temporary lodging, relocation expenses, storage of personal belongings, rent, meals, utilities, and incidentals. The program also reimburses expenses incurred for psychological counseling, medical care, new identities, vocational or occupational training, and travel costs for witnesses who must return to testify in criminal proceedings. Sworn law enforcement expenses may also be reimbursed for transporting or protecting witnesses. These expenses include travel, lodging, per diem, and required overtime.

Table 3 — Approved Reimbursement Claims by Chapter Fund (FY 2020-2021)

Chapter Fund	Amount Approved	Claims Processed
Chapter 6/20	\$320,708.62	70
Chapter 23/19	\$639,806.83	120
Chapter 29/18	\$669,261.70	91
Total	\$1,629,777.15	281

Table 4 on the following page lists the 25 agencies that submitted reimbursement claims for witness expenses during FY 2020-2021, and the amount approved for each county. The \$1,629,777 in approved expenditures represents 281 reimbursement claims.

25 Percent Match

The CalWRAP is mandated to report the amount of funding sought by each agency, provided to each agency, and the 25 percent match value. There were a total of 281 approved reimbursement claims in FY 2020-2021. Table 4 reflects the 25 agencies that submitted match claims during this period.

Table 4 — Submitted Match Value by Agency (FY 2020-2021)

Agency	Total Amount Submitted	Total Amount Approved	Match Value ¹
Butte	\$15,322.15	\$15,322.15	\$7,041.11
Contra Costa	\$78,788.65	\$78,788.65	\$16,373.40
CA Dept. of Justice	\$89,004.97	\$89,004.97	\$801,073.51 ²
El Dorado	\$3,927.32	\$3,927.32	\$2,616.87
Fresno	\$130,440.92	\$130,440.92	\$66,650.69
Imperial	\$2,189.52	\$2,189.52	\$812.50
Kern	\$118,515.31	\$118,515.31	\$19,480.35
Kings	\$5,015.44	\$5,015.44	\$1,490.64
Los Angeles	\$357,901.88	\$357,901.88	\$182,706.33
Merced	\$9,574.40	\$9,574.40	\$2,419.66
Monterey	\$95,730.24	\$95,730.24	\$20,628.26
Orange	\$39,926.79	\$39,926.79	\$24,520.52
Riverside	\$99,615.96	\$99,615.96	\$34,220.34
Sacramento	\$33,474.53	\$33,131.43	\$17,920.99
San Bernardino	\$45,003.38	\$44,895.21	\$17,860.66
San Diego	\$222,250.05	\$222,250.05	\$68,299.20
San Francisco	\$20,808.63	\$20,808.63	\$5,250.31
San Joaquin	\$33,189.78	\$33,189.78	\$20,860.50
San Mateo	\$7,450.00	\$7,450.00	\$2,729.08
Santa Barbara	\$15,529.06	\$15,529.06	\$6,189.43
Santa Clara	\$107,683.28	\$107,683.28	\$25,086.83
Santa Cruz	\$70,858.70	\$70,858.70	\$56,912.11
Solano	\$10,300.73	\$10,300.73	\$3,030.00
Stanislaus	\$12,792.18	\$12,792.18	\$2,493.62
Ventura	\$4,934.55	\$4,934.55	\$1,340.45
Grand Total	\$1,630,228.42	\$1,629,777.15	\$1,408,007.36

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

²The California Department of Justice submitted a match value of \$801,073.51 which was well above the 25 percent match requirement. The minimum required match value for the agency's active CalWRAP cases was \$22,251.24.

Testimonials

Following the closure of a case, the CalWRAP program staff solicits information from state and local agencies requesting comments or suggestions concerning the program, its policies, and its procedures. The comments received from these agencies during FY 2020-2021 included many positive responses regarding the services administered by program staff, the witness services provided, and the continued need to provide these services to testifying witnesses. The following are a few of the testimonials received over the past year:

Contra Costa District Attorney's Office

"Thank you CALWRAP for working so hard on this program which is vital in our county's efforts to protect our victims and witnesses. I shudder to think what might have happened to them without the program, and the incredible efforts by you and those who worked in the unit in the past."

Monterey County District Attorney's Office

"Whenever I have questions, I receive prompt replies and guidance via email."

"This program helped this case in many ways. It provided the witness with security and safety. Without the program, we would not have been able to get the witness to testify safely in this gang attempted homicide case. The witness provided great detail to the jury about the incident, and they were extremely receptive to the information he provided. His testimony helped put two notorious gang members in jail for the rest of their lives. Thank you!"

Santa Cruz District Attorney's Office

"This is a very important program that is crucial to the cooperation and testimony of many witnesses and victims in countless cases. Without CalWRAP, many cases would never be able to go to trial."

Additional Program Items of Interest

Administrative Status

In FY 2020-2021, the CalWRAP expended \$122,000 on administrative costs, which include personnel resources and general operating expenses.

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

Outreach and Training

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

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