



**District Attorney
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: May 21, 2019 - **REVISED**

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
CONTACT PERSON: Dan Underwood PHONE: 636-5494		

SUBJECT: Approve Position Allocation changes and amend existing classification specifications for the Office of the District Attorney

- REQUEST(S):**
That the Board of Supervisors:
1. Approve the attached new classification specification, class designation, grade effective May 26, 2019, of Victim Witness Worker III, pending meet, and confer with the affected bargaining unit;
 2. Approve a Personnel Resolution to add one (1) FTE Legal Office Assistant I/II/III position, flexibly allocated, and add one (1) FTE Victim Witness Worker I/II/III position, flexibly allocated, effective May 26, 2019;
 3. Approve the amendment to flexibly allocate all Victim Witness Worker I/II allocations to Victim Witness Worker III allocations, effective May 26, 2019, pending meet and confer with the affected bargaining unit; and
 4. Direct department to delete positions if Victim Witness Assistance grant funding is not sufficient to fully fund the additional one (1) Victim Witness Worker I/II/III and one (1) Legal Office Assistant I/II/III in future fiscal years. Such positions shall be deleted so as not to incur any Net County Cost, unless there are extenuating circumstances justifying retention of the affected position, and such position shall be approved by the Board of Supervisors.

SUMMARY:
The Tulare County District Attorney's Victim Witness Center (VW Center) provides

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vital services to thousands of crime victims on annual basis. Victim Witness Workers (also called advocates) work directly with victims of crime, providing information regarding the judicial process and victim's rights, crisis counseling, court accompaniment, and assistance with victim compensation claims, among many other duties.

The Crime Victims Fund (Fund) was established by the Victims of Crime Act (VOCA) of 1984. The Fund is financed by fines and penalties paid by convicted federal offenders, not from tax dollars. The U.S. Department of Justice disseminates VOCA funding to each state's State Administering Agency (SAA). These SAAs then administer grant funds to their respective counties.

In FY 2015/16, the cap on VOCA funding increased from \$745 million to \$2.3 billion. As a result, California's SAA, the California Governor's Office of Emergency Services (Cal OES) increased its grant funding to the Tulare County District Attorney's Office, from \$484,181 for three programs in FY 2014/15, to \$1,318,020 for five programs in FY 2018/19.

The VW Center staffing has grown considerably as VOCA funding has increased. In FY 2014/15, Cal OES grant programs funded nine positions: one Victim Witness Coordinator, one Victim Witness Worker Supervisor, and seven Victim Witness Workers. Current FY 2018/19 Cal OES programs fund 16 positions: one Program Manager, two Victim Witness Worker Supervisors, and 13 Victim Witness Workers. However, to effectively handle the more than three thousand victims it serves annually, there remains a need for additional staffing changes.

In response to these needs, the Department is requesting several personnel changes, including adding two positions, adding a new classification specification which adds a level III class to a current position, and amending level II positions to level III. All position changes have been reviewed by Human Resources and Development, and all positions are grant funded.

Add a New Victim Witness Worker III Classification

The role of the Victim Witness Worker has changed considerably over the last several years. While the original intent of the position was to provide referrals and direct services to victims, as Cal OES has increased funding and added programs, they have in turn added more advanced duties. Today's Victim Witness Workers are required to participate on multi-disciplinary teams and task forces, do more outreach and education to the community, and possess knowledge in the areas of victim restitution, U-Visas, emerging crime types such as human trafficking, crimes that fall within Assembly Bill 109 and Proposition 47, and disclosure requirements under the Brady rule.

The Department's VW Center staff is tasked with creating and delivering informative presentations on subjects such as bullying, social media, human trafficking, and

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other topics that were not part of our social atmosphere a decade ago. These presentations are frequently requested by concerned community and parent groups, as well as Tulare County school administrators. This breadth of in-demand outreach has resulted in the number of community outreach educational presentations performed by the advocates growing from seven events in FY 2010/11, to 107 events in FY 2017/18.

Currently, there are two levels within the Victim Witness Worker classification. Level I is an entry-level position, while level II requires a minimum of one year of experience at the I level, in addition to a more advanced knowledge of victim advocacy work. Veteran Victim Witness Workers have successfully transitioned beyond these two levels, and are now balancing their core duty of being available to serve victims with a heavy outreach schedule, processing of U-Visas, grasping legislation that affects victims they serve, and playing a vital role on task forces and other multi-disciplinary collaborative groups to truly advocate for a better response to crime. These are all tasks that can only be done by a more experienced and higher-level advocate, and a Victim Witness Worker III position is necessary to recognize and compensate this more advanced level of work.

The Department is requesting the approval of the new classification specification, class designation and grade of Victim Witness Worker III, effective May 26, 2019.

The annual maximum salary and benefit cost of a Victim Witness Worker II is \$66,508 and the proposed annual maximum salary and benefit cost for one Victim Witness Worker III is \$73,892, for an annual difference of \$7,384 per position. The Department's current Cal OES funded grant programs (Units 3162, 3197, 3600, 3700, and 3800) will cover the costs of any increases due to promotions occurring in the remainder of the fiscal year, and in future fiscal years.

Add One Legal Office Assistant I/II/III

The Department is requesting one Legal Office Assistant I/II/III position, flexibly allocated, effective May 26, 2019. This position is necessary due to the increase in advocates, and the increasingly larger caseload in the Porterville office. Currently, there is one Legal Office Assistant stationed in the VW Center providing support for all 13 advocates. An additional Legal Office Assistant is needed in the Porterville office to lighten the work burden of the lone assistant, and to provide direct, on-site support to the four advocates stationed there.

The annual maximum salary and benefit cost for one Legal Office Assistant III is \$57,304. For the remaining 2.5 pay periods of FY 2018/19, the maximum cost to add one Legal Office Assistant III is \$5,510. The Department's current Victim/Witness Assistance Program grant (Unit 3700) will fund this position for the remainder of the fiscal year and also in future fiscal years. If grant funding is not sufficient to fully fund this additional position in future fiscal years, this position will be deleted.

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Add One Victim Witness Worker I/II/III

The Department is requesting one Victim Witness Worker I/II/III position, flexibly allocated, effective May 26, 2019. This position is necessary due to the increase in the workload of the advocates as described earlier, and to effectively handle the more than three thousand victims the VW Center serves annually.

The proposed annual maximum salary and benefit cost of a Victim Witness Worker III will be \$73,892. For the remaining 2.5 pay periods of FY 2018/19, the maximum cost to add one Victim Witness Worker III is \$7,105. The Department's current Victim/Witness Assistance Program grant (Unit 3700) will fund this position for the remainder of the fiscal year and also in future fiscal years. If grant funding is not sufficient to fully fund this additional position in future fiscal years, this position will be deleted.

Amendment of Positions

In conjunction with the above request, the Department requests to amend all current Victim Witness Worker I and II positions to Victim Witness Worker III positions. Upon approval of this request, staff that are currently in a Victim Witness Worker II position will be evaluated for promotion to a level III. Promotions will occur within the current fiscal year and throughout the next fiscal year.

Any increases in salary and benefit costs due to future promotions this year and in future years will be covered by the various Cal OES grants through which the affected staff are funded.

Funding

The total cost of these requested changes in Fiscal Year 2019/20 is \$242,651. All costs will be covered by Cal OES grant funding.

FISCAL IMPACT/FINANCING:

The annual maximum salary and benefit cost for one Legal Office Assistant III is \$57,304. For the remaining 2.5 pay periods of FY 2018/19, the maximum cost to add one Legal Office Assistant III is \$5,510. The annual maximum salary and benefit cost of a Victim Witness Worker III will be \$73,892. For the remaining 2.5 pay periods of FY 2018/19, the maximum cost to add one Victim Witness Worker III is \$7,105. The difference between the annual maximum salary and benefit cost for a Victim Witness Worker I and a Victim Witness Worker III is \$12,818. The difference between the annual maximum salary and benefit cost for a Victim Witness Worker II and a Victim Witness Worker III is \$7,384. For the remaining 2.5 pay periods of FY 2018/19, the maximum cost to amend all 14 Victim Witness Worker I and II positions to Victim Witness Worker III positions will be \$10,463. However, promotions will be contingent upon experience and performance, and the Department does not plan to promote all 14 staff in FY 2018/19. No budget adjustment is necessary as the Department will absorb the increased cost of \$23,078 within its FY 2018/19 operating budget. There will be no additional net

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County cost.

For FY 2019/20, the Department is anticipating an increase of \$58,006 for one Legal Office Assistant III, and \$74,701 for one Victim Witness Worker III. The Department is also estimating a maximum increase of \$109,944 which represents the amendment of 14 Victim Witness Worker I and II positions to Victim Witness Worker III positions. However, promotions will be contingent upon experience and performance, and the Department does not plan to promote all 14 staff in FY 2019/20. The total maximum increase for all requested changes is \$242,651. The entire amount will be funded with Cal OES grant funds. There will be no additional net County cost to the General Fund for FY 2019/20.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year Strategic Business Plan and Management System includes an Organizational Performance initiative, which contains the goal of continually evaluating the organizational structure to improve service delivery. The Plan also includes Safety and Security initiatives to provide for the safety and security of the public. Approving this request ensures that the Department has the staff necessary to continue delivering essential public safety services in Tulare County.

ADMINISTRATIVE SIGN-OFF:



Yun-Gyung Park-Moore
Fiscal Manager

Cc: County Administrative Office
Human Resources & Development

Attachment(s): 1) Personnel Resolution
2) Classification Specifications for Victim Witness Worker III
3) Class Designation

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE POSITION) Resolution No. _____
ALLOCATION CHANGES AND AMEND) Agreement No. _____
EXISTING CLASSIFICATION)
SPECIFICATIONS FOR THE OFFICE OF)
THE DISTRICT ATTORNEY)

UPON MOTION OF SUPERVISOR _____, SECONDED BY SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Approved the attached new classification specification, class designation, grade effective May 26, 2019, of Victim Witness Worker III, pending meet, and confer with the affected bargaining unit;
2. Approved a Personnel Resolution to add one (1) FTE Legal Office Assistant I/II/III position, flexibly allocated, and add one (1) FTE Victim Witness Worker I/II/III position, flexibly allocated, effective May 26, 2019;
3. Approved the amendment to flexibly allocate all Victim Witness Worker I/II allocations to Victim Witness Worker III allocations, effective May 26, 2019, pending meet and confer with the affected bargaining unit; and
4. Directed department to delete positions if Victim Witness Assistance grant funding is not sufficient to fully fund the additional one (1) Victim Witness Worker I/II/III and one (1) Legal Office Assistant I/II/III in future fiscal years. Such positions shall be deleted so as not to incur any Net County Cost, unless there are extenuating circumstances justifying retention of the affected position, and such position shall be approved by the Board of Supervisors.

BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AMENDING THE)
POSITION ALLOCATION LISTING) Resolution No. 2019-

Upon Motion of Supervisor (Name), Seconded by Supervisor (Name), the following was adopted by the Board of Supervisors, at an official meeting held May 21, 2019 by the following vote:

Ayes:
Noes:
Abstain:
Absent:

Attest: Jason T. Britt
County Administrative Officer/
Clerk, Board of Supervisors

By: _____
Deputy Clerk

Add, Delete, Reclassify or Amend	Effective Date	Previous Job Code	Previous Class Title	New Job Code	New Class Title	No. Of Pos	FTE	Grade	Position Number(s)	Dept ID	Job Cost Dist. No.
ADD	5/26/19	027830	Legal Office Assistant III			1	1	829	*****	100101	1003700
ADD	5/26/19			049430	Victim Witness Worker III	1	1	131	*****	100101	1003700
AMEND	5/26/19	049420	Victim Witness Worker II	049430	Victim Witness Worker III	1	1	131	03571	100101	1003700
AMEND	5/26/19	049420	Victim Witness Worker II	049430	Victim Witness Worker III	1	1	131	04276	100101	1003600
AMEND	5/26/19	049420	Victim Witness Worker II	049430	Victim Witness Worker III	1	1	131	04277	100101	1003600
AMEND	5/26/19	049420	Victim Witness Worker II	049430	Victim Witness Worker III	1	1	131	04279	100101	1003700
AMEND	5/26/19	049420	Victim Witness Worker II	049430	Victim Witness Worker III	1	1	131	05704	100101	1003700
AMEND	5/26/19	049420	Victim Witness Worker II	049430	Victim Witness Worker III	1	1	131	06242	100101	1003600
AMEND	5/26/19	049420	Victim Witness Worker II	049430	Victim Witness Worker III	1	1	131	08940	100101	1003800
AMEND	5/26/19	049410	Victim Witness Worker I	049430	Victim Witness Worker III	1	1	131	09802	100101	1003160
AMEND	5/26/19	049420	Victim Witness Worker II	049430	Victim Witness Worker III	1	1	131	10091	100101	1003162
AMEND	5/26/19	049420	Victim Witness Worker II	049430	Victim Witness Worker III	1	1	131	10170	100101	1003700
AMEND	5/26/19	049420	Victim Witness Worker II	049430	Victim Witness Worker III	1	1	131	10171	100101	1003700
AMEND	5/26/19	049420	Victim Witness Worker II	049430	Victim Witness Worker III	1	1	131	10239	100101	1003197
AMEND	5/26/19	049420	Victim Witness Worker II	049430	Victim Witness Worker III	1	1	131	10240	100101	1003197
AMEND	5/26/19	049420	Victim Witness Worker II	049430	Victim Witness Worker III	1	1	131	10378	100101	1003600

Explanation: Add two (2) positions to allocation. Candidates hired for flexibly allocated positions may be hired at the I, II, or III level. Request to amend listed Victim Witness Worker allocations to the III level. Incumbents will remain at their current level in the series.

VICTIM WITNESS WORKER III

County of Tulare

DEFINITION

To develop and maintain working relationships with a broad range of public and private community and county referral agencies; to provide initial counsel to victims in complex crisis situations; and to assist victims in determining eligibility for assistance.

DISTINGUISHING CHARACTERISTICS

This is the advanced journey level class in the Victim Witness Worker series. Incumbents in this classification work with at the Victim Witness Center with a high degree of independence and are expected to demonstrate self-motivation, time management, and strong organizational and communication skills. Incumbents will provide the full range of Victim Witness Worker I/II duties, as well provide more advanced levels of community outreach and public speaking.

SUPERVISION RECEIVED AND EXERCISED

Direct supervision is provided by the Victim Witness Worker Supervisor, District Attorney Program Manager, or higher level department staff. May exercise functional supervision over technical and clerical support staff.

DUTIES

May include, but are not necessarily limited to:

Represent the department in the absence of superiors.

Assist in preparing complex statistical reports and may participate in special research projects.

Recruit volunteers and interns; help develop, oversee and implement training plans for volunteers, interns and new employees; provide input to supervisory staff regarding volunteer, intern and staff assignments/performance; prioritize and assign staff work in supervisor's absence.

Provide services to victims on after hours calls for assistance at Child Abuse Response Team interviews.

Participate on and/or coordinate multi-disciplinary team meetings.

Act as lead advocate as situations require.

Provide back up on-call assistance for mass casualty crime response; assist on-site law enforcement personnel with victim/witness services; establish victim assistance eligibility and provide emergency assistance including food, clothing, transportation and shelter.

Work with courthouse facility dogs and their needs with victims of crime; understand the policy, requirements and laws of using courthouse facility dogs in the courtroom and during testimony.

Assist supervisors to coordinate advocacy and outreach activities.

Assist with the design and production of informational fliers, brochures, and posters relating to the victim services.

Prepare and review U-Visa certification requests for victims of crimes; review law enforcement reports to determine eligibility; refer and discuss crime documentation with Assistant District Attorney for processing; maintain log of U-Visa applications.

Essential job duties may be assigned that are not listed above but are relative to this job classification. (Reasonable accommodation will be made when requested and determined by the County to be appropriate under applicable law.)

MINIMUM QUALIFICATIONS

Minimum qualifications are used as a guide for establishing the education, training, experience, special skills and/or license which are required and equivalent to the following.

Knowledge of:

- The Criminal Justice System in relation to assisting victims.
- Laws, rules and procedures guiding services to crime victims, including but not limited to Court procedures and protocol, mandated reporting, Marsy's Law, and relevant sections of the California Penal Code, Health & Safety Code, and Welfare & Institution Code.
- Interviewing, counseling, and recordkeeping techniques.
- Referral process to public and private agency resources available to victims.
- Eligibility requirements for victim compensation.
- Standard office practices and procedures.
- Goals and objectives of grant programs that fund the Victim Witness Center.

Skill/Ability to:

- Work and communicate effectively with people of various education and socioeconomic backgrounds by respecting beliefs, interpersonal styles and behaviors of both clients and co-workers.
- Operate contemporary office equipment inclusive of computer, keyboard, and all applicable electronic equipment.
- Gather, record, and correctly evaluate data necessary for the determination of eligibility for benefits in Victim Witness Center programs.
- Counsel effectively in a variety of crisis situations and settings.
- Communicate effectively with victims in difficult circumstances in various emotional states, and of various educational and socioeconomic backgrounds.
- Correctly interpret rules and regulations regarding eligibility for services.
- Evaluate and make appropriate recommendations on selected cases.
- Identify problems requiring referral to other agencies and care providers.
- Write clearly and effectively.
- Understand and follow complex instructions.
- Perform a high volume of work amid interruptions.
- Maintain accurate and systematic records.
- Establish and maintain cooperative working relationships with public/private agencies, staff, the general public and law enforcement agencies.
- Speak effectively to various community groups.

- Participate in and provide input at multi-disciplinary team meetings.
- Assist with the development of case management systems.
- Work without close supervision.
- Act effectively in a crisis situation, and communicate specific knowledge to victims and their families.
- Act as lead worker, and direct the work of others.

Education:

- Completion of two years of college, including 15 units of criminal law, sociology or related area.

Experience:

- One (1) year of experience in a position equivalent to Victim Witness Worker II in Tulare County.

License or Certificate

- Possession of, or ability to obtain, an appropriate, valid California driver's license.

[Classification] Job Code: XXXXXX, Res:xxXX-XXXX, Update: XX/XX

Supplemental Information

Overtime Status:

Probation:

BU:

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

**IN THE MATTER OF NEW OR AMENDED) Resolution No. 2019-
CLASS SPECIFICATIONS, CLASS) Agreement No.
DESIGNATIONS AND COMPENSATION)**

Upon Motion of Supervisor (Name), seconded by Supervisor (Name), the following was adopted by the Board of Supervisors, at an official meeting held May 21, 2019 by the following vote:

Ayes:
Noes:
Abstain:
Absent:

Attest: Jason T. Britt
 County Administrative Officer/
 Clerk, Board of Supervisors

By: _____
Deputy Clerk

* * * * *

Adopt the following new or amended class specifications, class designations, and compensation effective: May 26, 2019

Victim Witness Worker III, Item No. 049430, Salary Grade: 131 (\$50,960 annual Step 5), Bargaining Unit 04, Competitive Service, Probation Period: 13 Pay Periods.