

OFFICE OF THE ATTORNEY GENERAL  
XAVIER BECERRA

# CALIFORNIA WITNESS RELOCATION AND ASSISTANCE PROGRAM



Annual Report to the Legislature  
2016-2017



# CALIFORNIA WITNESS RELOCATION AND ASSISTANCE PROGRAM



California Office of the Attorney General  
Xavier Becerra  
Attorney General

Division of Law Enforcement  
Kevin Gardner  
Chief



# Table of Contents

<b>Executive Summary</b> .....	1
<b>Case Statistics</b> .....	2
Table 1 — Case Statistics for All Chapter Funds as of June 30, 2017 .....	2
Chart 1 — New Case Activity During FY 2016-2017 (Chapter 23/16) .....	2
<b>Cases Submitted for Funding</b> .....	3
Chart 2 — Types of Cases Submitted for Funding (FY 2016-2017) .....	3
Chart 3 — Percentage of Gang-Related Cases Funded Each Fiscal Year .....	4
<b>Charges Filed on Cases</b> .....	5
Chart 4 — Types of Charges Filed on Cases (FY 2016-2017) .....	5
<b>Local Assistance</b> .....	6
Table 2 — Local Assistance Balances as of June 30, 2017 .....	6
<b>Reimbursements for Local Agencies</b> .....	7
Table 3 — Approved Reimbursement Claims by Chapter Fund (FY 2016-2017) .....	7
<b>County Match Received by Program</b> .....	8
Table 4 — Submitted Match Claims by Agency (FY 2016-2017) .....	8
<b>Successful Prosecutions</b> .....	9
<b>Testimonials</b> .....	13
<b>Other Program Items of Interest</b> .....	14
Administrative Status .....	14
Outreach and Training .....	14



# Executive Summary

This report summarizes the accomplishments of the California Witness Relocation and Assistance Program (CalWRAP) during the fiscal year (FY) reporting period of July 1, 2016 to June 30, 2017. During this reporting period, the CalWRAP managed 673 cases, including 411 cases that were opened in FY 2014-2015 and FY 2015-2016, and another 262 cases that were opened in FY 2016-2017. The program closed 321 cases, leaving 352 active cases.

The 262 new cases provided services to 286 witnesses and their 492 family members. During their participation in the CalWRAP, the witnesses provided testimony against 563 violent offenders. There were 206 gang-related cases with numerous others classified as high-risk (37), domestic violence (6), human trafficking (6), narcotics trafficking (5) and organized crime (2). Charges of homicide and attempted homicide were the principal charges in 76.0 percent of the cases. Assault accounted for 7.3 percent and the remaining 16.7 percent of cases involved robbery, threats, human trafficking, home invasions, kidnapping, narcotics charges, criminal conspiracy, carjacking, rape, burglary, and felon with a firearm charges.

A total of \$4,855,000 was allocated to the CalWRAP for distribution to California district attorneys' offices in FY 2016-2017. The program expended \$1,025,072 as of June 30, 2017, with the remaining balance available for district attorneys to support their cases.

The program processed 668 claims for reimbursement in FY 2016-2017 totaling \$5,125,134 in authorized witness expenditures to 30 California district attorneys' offices. The distributed funds were processed pursuant to the mandatory 25 percent match requirement.

The 321 closed cases include 118 cases that were closed with reportable convictions. Twenty-two of these closed cases are detailed in the "Successful Prosecutions" Section of this report because they represent the varied sentences that are meted out to offenders in cases managed by the CalWRAP. The sentences range from 180 days plus five years probation for carjacking to the death penalty for multiple homicides and attempted homicides.

The CalWRAP expended \$343,318 on administrative costs in FY 2016-2017, which included personnel resources and general operating expenses. CalWRAP staff continue to provide program training to local law enforcement personnel throughout California at Commission on Peace Officer Standards and Training (POST) certified training courses and as requested. The CalWRAP is currently administered by the Division of Law Enforcement.

# Case Statistics

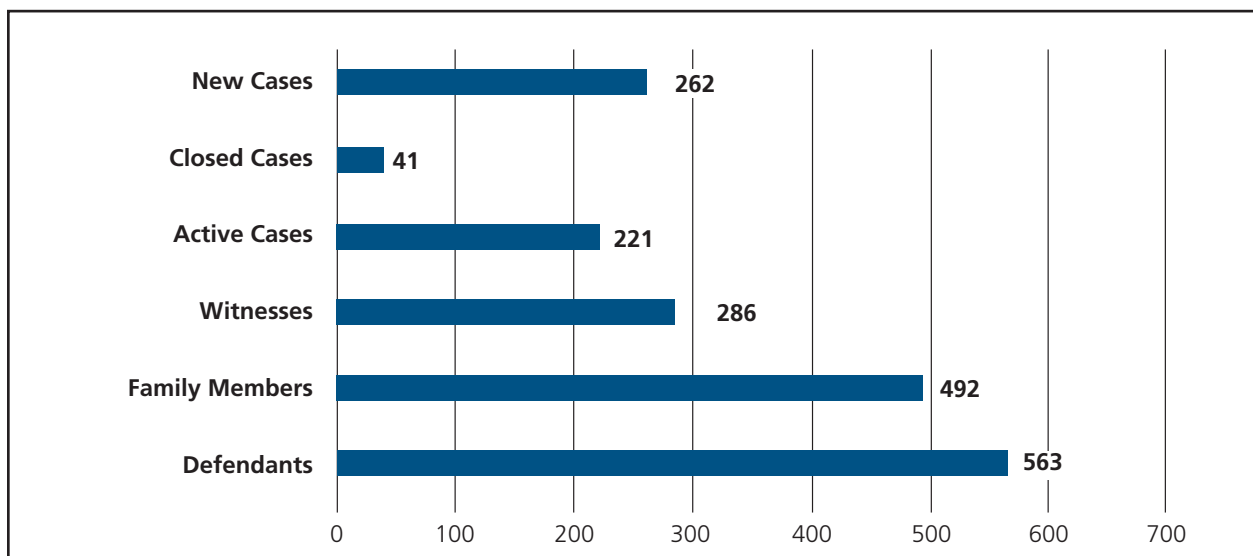
During the reporting period, the CalWRAP was responsible for the administration of three FY appropriations: Chapter 23/16 (FY 2016-2017), Chapter 10/15 (FY 2015-2016), and Chapter 25/14 (FY 2014-2015). The program provided service for 673 cases, including 411 previously-approved cases and 262 new cases. Through June 30, 2017, the program closed 321 cases, leaving 352 cases active (see Table 1).

**Table 1 — Case Statistics for All Chapter Funds as of June 30, 2017**

Chapter Fund	New or Existing Cases	Closed Cases	Active Cases	Witnesses	Family Members	Defendants
23/16	262	41	221	286	492	563
10/15	231	100	131	314	463	651
25/14 <sup>†</sup>	180	180	0	392	582	681
<b>Totals</b>	<b>673</b>	<b>321</b>	<b>352</b>	<b>992</b>	<b>1,537</b>	<b>1,895</b>

The 262 new CalWRAP cases approved during FY 2016-2017 (Chapter 23/16) provided for the relocation of 286 witnesses and 492 family members testifying against 563 defendants (see Chart 1).

**Chart 1 — New Case Activity During FY 2016-2017 (Chapter 23/16)**



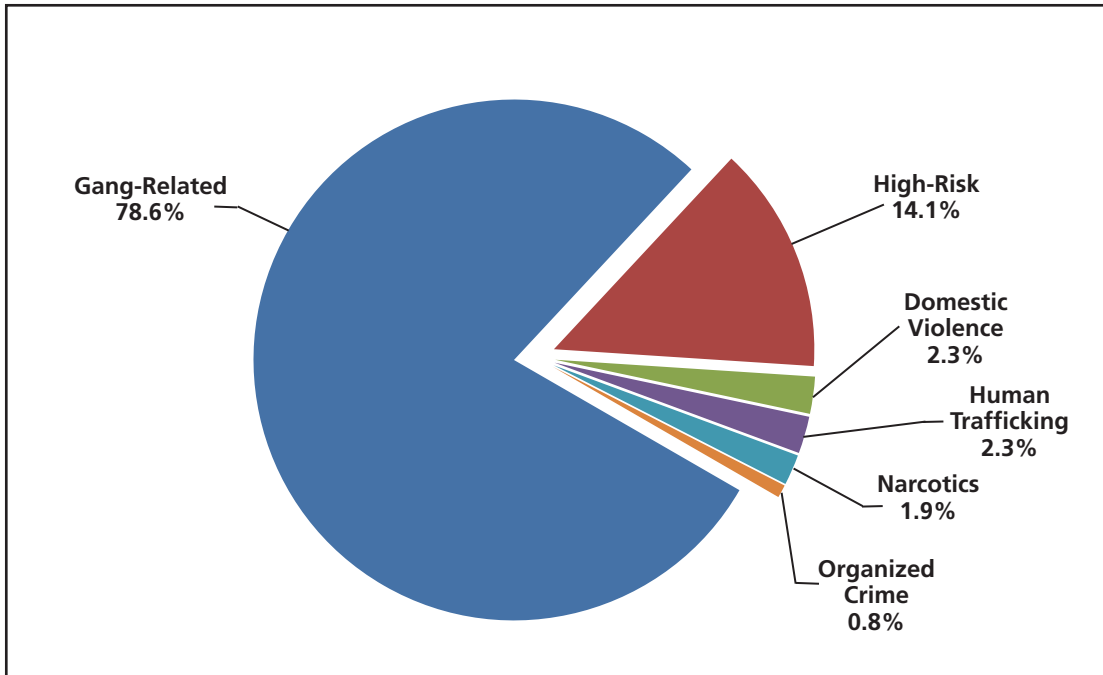
<sup>†</sup> Chapter 25/14 closed on June 30, 2017



# Cases Submitted for Funding

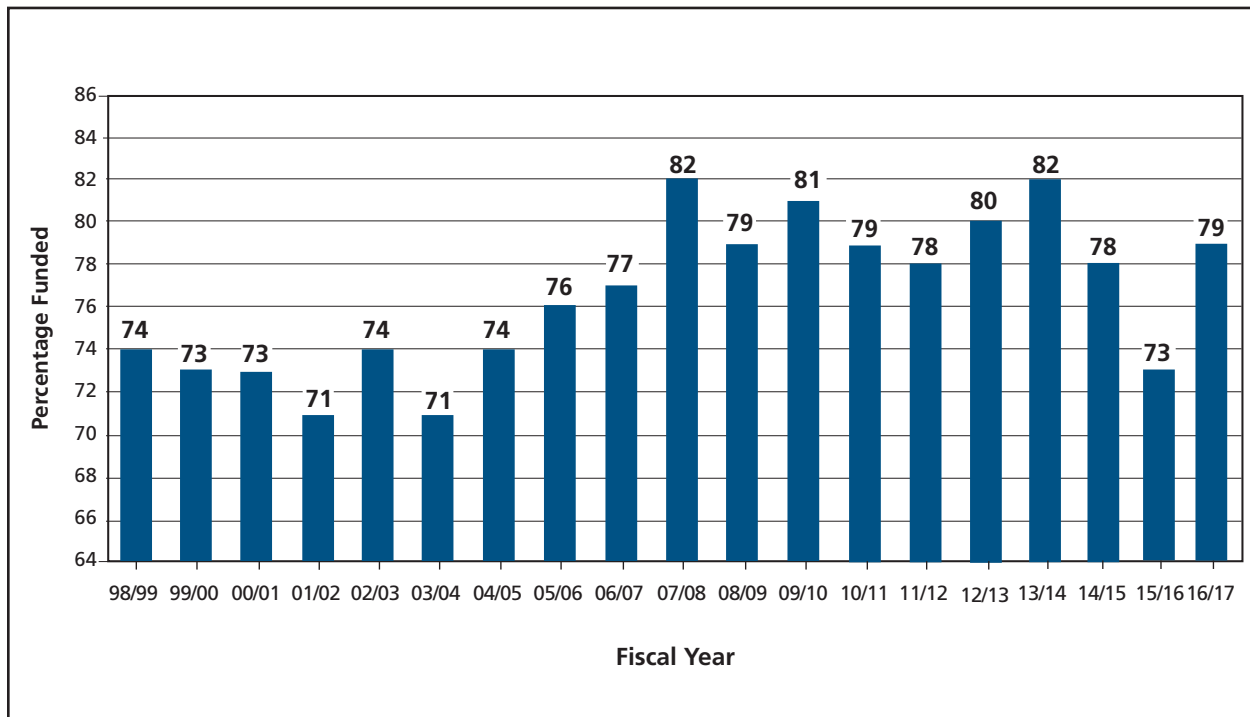
There were 262 new cases approved by the CalWRAP for the period of July 1, 2016, through June 30, 2017, which included: 206 gang-related cases (78.6 percent), 37 high-risk crimes cases (14.1 percent), six domestic violence cases (2.3 percent), six human trafficking cases (2.3 percent), five narcotics trafficking-related cases (1.9 percent), and two organized crime cases (0.8 percent); see Chart 2.

**Chart 2 — Types of Cases Submitted for Funding (FY 2016-2017)**



Since the inception of the program in January 1998, the percentage of gang-related cases has averaged 77 percent. Chart 3 depicts the actual percentage of gang-related cases approved from FY 1998-1999 to FY 2016-2017.

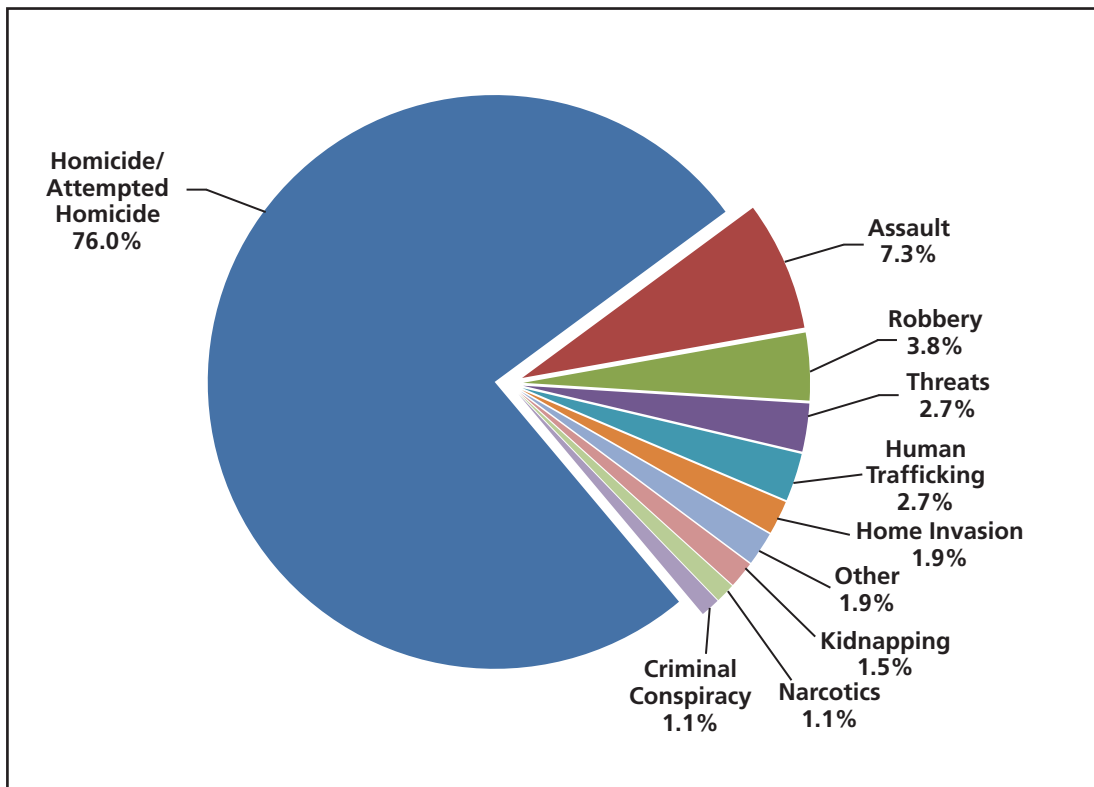
**Chart 3 — Percentage of Gang-Related Cases Funded Each Fiscal Year**



# Charges Filed on Cases

During the reporting period for FY 2016-2017, homicide and attempted homicide charges accounted for 76.0 percent of the 262 new cases. The remaining charges filed included 7.3 percent for assault charges; 3.8 percent for robbery; 2.7 percent for threats; 2.7 percent for human trafficking; 1.9 percent for home invasion charges; 1.5 percent for kidnapping; 1.1 percent for narcotics charges; 1.1 percent for criminal conspiracy; 0.8 percent for car jacking; 0.4 percent for rape; 0.4 percent for burglary; and the remaining 0.4 percent for felon with a firearm charges. 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 2016-2017)\***



\*No fraud or sexual assault cases in FY 2016-2017.

# Local Assistance

The CalWRAP's local assistance appropriation (monies available to district attorneys' offices to support witness relocation cases) for FY 2016-2017 was \$4,855,000. As of June 30, 2017, \$1,025,072 was expended, and the remaining balance of \$3,829,928 was allocated to support existing cases. Table 2 illustrates the status of the Chapter 23/16 fund as well as the two prior FY funds: Chapters 10/15 (FY 2015-2016) and 25/14 (FY 2014-2015) that were also administered by the program during this reporting period. The Chapter 25/14 fund closed on June 30, 2017.

**Table 2 — Local Assistance Balances as of June 30, 2017**

<b>Chapter Fund</b>	<b>Beginning Funds</b>	<b>Expended Funds</b>	<b>Remaining Balance</b>
23/16 (FY16-17)*	\$4,855,000	\$1,025,072	\$3,829,928
10/15 (FY 15-16)*	\$4,855,000	\$3,108,570	\$1,746,430
25/14 (FY 14-15)†	\$4,855,000	\$4,845,018	\$9,982

\* Although there is an available balance, these funds are for continued support of existing cases.

† Chapter 25/14 closed on June 30, 2017.

# Reimbursements for Local Agencies

In FY 2016-2017, CalWRAP staff processed 668 reimbursement claims totaling \$5,125,134 submitted by 30 district attorneys' offices. The approved reimbursement claims reflect a monthly average of \$427,095 that was utilized for witness or sworn law enforcement expenses.

Table 3 reflects the total expenses approved for each active chapter fund during FY 2016-2017 and the total number of reimbursement claims processed for each year's appropriation. Reimbursements are for 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 2016-2017)**

<b>Chapter Fund</b>	<b>Amount Approved</b>	<b>Claims Processed</b>
Chapter 23/16	\$1,022,882	178
Chapter 10/15	\$2,289,500	312
Chapter 25/14	\$1,812,752	178
<b>Total</b>	<b>\$5,125,134</b>	<b>668</b>

Table 4 on the following page lists the 30 district attorneys' offices that submitted reimbursement claims for witness expenses during FY 2016-2017 and the amount approved for each county. The \$5,125,134 in approved expenditures represents 668 reimbursement claims.

# County Match Received by Program

The CalWRAP is mandated to report the amounts of funding sought by each agency, provided to each agency, and the county match. There were a total of 668 approved reimbursement claims. Table 4 reflects the 30 agencies that submitted match claims during FY 2016-2017.

**Table 4 — Submitted Match Claims by Agency (FY 2016-2017)**

District Attorney Office	Total Amount Submitted	Total Amount Approved	\$ Match Submitted
Alameda	\$17,763.91	\$17,763.91	\$10,017.23
Butte	\$9,268.19	\$9,268.19	\$2,355.62
Contra Costa	\$360,588.64	\$357,737.60	\$85,277.34
Fresno	\$19,428.94	\$19,428.94	\$7,558.85
Imperial	\$9,018.28	\$9,018.28	\$2,988.54
Kern	\$50,935.78	\$50,935.78	\$13,443.88
Kings	\$43,414.86	\$43,414.86	\$13,517.11
Los Angeles	\$1,147,485.01	\$1,146,116.83	\$561,279.03
Madera	\$2,707.20	\$2,707.20	\$1,598.18
Marin	\$13,421.70	\$13,421.70	\$11,993.93
Monterey	\$703,147.47	\$703,147.47	\$73,998.89
Napa	\$9,881.04	\$9,881.04	\$5,855.56
Orange	\$67,045.26	\$67,045.26	\$40,558.44
Riverside	\$34,240.26	\$34,240.26	\$10,544.31
Sacramento	\$221,268.56	\$221,268.56	\$82,201.12
San Bernardino	\$57,845.72	\$57,845.72	\$36,505.00
San Diego	\$534,986.18	\$534,986.18	\$163,636.65
San Francisco	\$228,818.31	\$228,818.31	\$33,118.91
San Joaquin	\$51,599.63	\$51,599.63	\$20,795.84
San Mateo	\$361,742.08	\$361,742.08	\$87,511.48
Santa Barbara	\$147,264.05	\$147,024.50	\$54,586.91
Santa Clara	\$80,090.85	\$79,490.98	\$40,451.76
Santa Cruz	\$209,340.20	\$209,340.20	\$68,407.96
Shasta	\$25,979.24	\$25,979.24	\$6,494.81
Solano	\$117,169.55	\$117,169.55	\$38,584.97
Sonoma	\$34,906.83	\$34,906.83	\$22,011.82
Stanislaus	\$197,386.62	\$197,386.62	\$10,493.70
Sutter	\$3,026.29	\$3,026.29	\$7,416.33
Tulare	\$23,152.43	\$21,068.25	\$33.48
Ventura	\$349,354.09	\$349,354.09	\$89,902.40
<b>Grand Total</b>	<b>\$5,132,277.17</b>	<b>\$5,125,134.35</b>	<b>\$1,603,140.05</b>

# Successful Prosecutions

During FY 2016-2017, the program solicited conviction information from local law enforcement agencies after the closure of their cases. Many client agencies responded with reportable convictions. The following examples demonstrate cases from various district attorneys' offices that concluded with a successful prosecution and had a noteworthy criminal sentence.

<b>Alameda County District Attorney's Office (10/15-206)</b>	
Case Facts	Gang homicide case. The 8-year-old victim was at a sleepover with friends when the defendant came to the door and started shooting when the door was opened. Two months later, a 22-year-old victim was shot and killed during a dice game by this same defendant. The witness was threatened by the defendant and she and her family were relocated for their safety.
Disposition	<b>Death penalty – 2 counts 187 PC, 3 counts 187(a)/664(a), 245(b)</b>
<b>Contra Costa County District Attorney's Office (25/14-147)</b>	
Case Facts	Gang-related attempted homicide case. The incarcerated defendants in this case conspired to murder an attorney for perceived disrespect. The witness was temporarily housed with the defendants and was relocated outside gang territory to ensure his continued safety.
Disposition	<b>85 years to life – 69 PC, 245 PC, 4502 PC</b>
<b>Contra Costa County District Attorney's Office 10/15-209)</b>	
Case Facts	Gang-related homicide case. The victim was shot and killed by members of a rival gang. The witness was a gang associate riding with the gang members during the shooting, but was unaware of their plans. After the witness received threats from one of the defendants, he and his family were relocated for their safety.
Disposition	<b>45 years to life – 187 PC; 21 years, 16 years – 192(a) PC</b>
<b>Fresno County District Attorney's Office (23/16-44)</b>	
Case Facts	High-risk home invasion case. The victim in this case was shot in the head during a home invasion robbery. The witness was present during the home invasion. She and her family were relocated for their safety after she received threats for speaking with law enforcement.
Disposition	<b>4 years – 459 PC, 460(a) PC</b>
<b>Imperial County District Attorney's Office (25/14-271)</b>	
Case Facts	High-risk homicide case. The victim was shot in broad daylight outside her home while visiting with her neighbor. The neighbor/witness lived directly across the street from the defendant and was repeatedly harassed and threatened by the defendant's family. To ensure their continued safety, the witness and her family were relocated.
Disposition	<b>50 years to life – 187 PC</b>
<b>Kern County District Attorney's Office (10/15-98)</b>	
Case Facts	High-risk attempted homicide case. The victim in this case told the belligerent defendant to leave the party being held at her home. In retaliation for the perceived disrespect, the defendant then shot the victim in the neck. The witness and her family were relocated to ensure their safety.
Disposition	<b>39 years to life – 664/187 PC, 245 PC</b>

<b>Los Angeles County District Attorney's Office (25/14-84)</b>	
Case Facts	Gang-related homicide case. The victim and defendant were rival gang members. The victim was shot and killed during a large-scale gun fight between the two gangs. The witness was present during the planning of the ambush by the rival gang. After law enforcement received information that the defendant's fellow gang members were attempting to retaliate against the witness, the witness and his family were relocated for their safety.
Disposition	<b>80 years to life, 90 years to life – 187 PC</b>
<b>Los Angeles County District Attorney's Office (25/14-78)</b>	
Case Facts	Gang-related homicide case. A father and his infant son were struck and killed by stray bullets when a gang member opened fire on members of a rival gang. The witness lived in the area and was known to the gang, and he and his family were relocated for their safety.
Disposition	<b>Life – 187 PC (2 counts)</b>
<b>Los Angeles County District Attorney's Office (25/14-217)</b>	
Case Facts	High-risk attempted homicide case. The victim was attacked after the defendant forced entry into her residence. The defendant stabbed the victim more than twelve times before fleeing and being apprehended. The victim and her family were relocated to ensure their continued safety.
Disposition	<b>Life – 664/187 PC</b>
<b>Los Angeles County District Attorney's Office (25/14-111)</b>	
Case Facts	Gang-related homicide case. The victim and her family were targeted by the defendant because of their race. The victim was shot and killed by the gang member. The witness was present during the shooting and he and his family were relocated to ensure their safety.
Disposition	<b>Life without parole – 187 PC</b>
<b>Monterey County District Attorney's Office (25/14-100)</b>	
Case Facts	Gang-related homicide case. The six-year-old victim was in his backyard with his sisters and cousins when he was struck by a stray bullet from a drive-by shooting. The single gunshot to his head killed him and traumatized his playmates. The defendants were driving around looking for rival gang members to kill and opened fire on suspected rival gang members at a local park. One of the defendants confessed his involvement to the witness. The witness was relocated for his safety.
Disposition	<b>Life without parole – 187(a) PC, 186.22 PC</b>
<b>Sacramento County District Attorney's Office (25/14-196)</b>	
Case Facts	High-risk robbery case. Over a period of several months, the victim was threatened at gunpoint by the defendant; he robbed and pistol-whipped one of her friends; he assaulted a group of her friends; he broke into her home and waited for her, and when she came home he attacked her. In addition to threatening the victim, the defendant also threatened a witness. The witness was relocated to ensure her safety.
Disposition	<b>20 years – 211 PC, 422 PC, 2 counts 29800(a) PC, 459 PC, 273.5 PC</b>
<b>San Bernardino County District Attorney's Office (23/16-51)</b>	
Case Facts	Gang-related attempted homicide case. The victim was stabbed multiple times while attempting to break up a fight. After the victim and her family were threatened, they were relocated for their safety.
Disposition	<b>4 years – 245(a)(1) PC, 186.22 PC; 3 years probation and 270 days county jail (2 sentences), 3 years probation and 4-year suspended sentence – 245(a)(4) PC, 186.22 PC</b>



<b>San Diego County District Attorney's Office (25/14-324)</b>	
Case Facts	Gang homicide case. The victim was walking when the defendants drove by him and the driver shot him several times. The victim died on his way to the hospital. One of the defendants told the witness about shooting the victim, and when it was discovered the witness was cooperating with law enforcement, she and her family were relocated to ensure their continued safety.
Disposition	<b>Life without Parole plus 6 years – 187 PC, 190.2(a)(2) PC, 12022(a)(1) PC, 12021(a)(1) PC; 12 years – 187 PC, 192(a) PC, 12022(a)(1) PC</b>
<b>San Diego County District Attorney's Office (23/16-23)</b>	
Case Facts	Gang homicide case. There are four victims from two separate incidents in this case. All victims were shot at, two sustained non life-threatening injuries and one died from a single gunshot wound to his back. The shooter confessed his crimes to the witness and the witness and his family were relocated to ensure their safety.
Disposition	<b>Life plus 199 years concurrent with 33 years 8 months – 246 PC, 12022.53(d) PC, 186.22(b)(4) PC, 664/187 PC, 245(b) PC, 186.2 PC, 189 PC; 19 years – 245(b) PC, 12022.1(b) PC, 186.22 PC</b>
<b>San Joaquin County District Attorney's Office (23/16-154)</b>	
Case Facts	Gang-related car-jacking case. The victim was at his home when the defendants brandished a handgun and taser and threatened to kill the victim if he did not give them the keys to his vehicle. The victim complied and his vehicle was taken. The vehicle was stopped a short time later and one of the defendants was arrested. After the victim and his girlfriend were threatened, they were relocated for their safety.
Disposition	<b>365 days jail and 5 years probation, 180 days jail and 5 years probation – 10851(a) VC</b>
<b>San Mateo County District Attorney's Office (25/14-311)</b>	
Case Facts	High-risk homicide case. The first victim (a john being robbed in his home by a prostitute) was knocked to the ground and then fatally shot in the head and abdomen by the defendant (the pimp) after he resisted the robbery. The second victim (the prostitute at the first homicide) was later shot and killed because she witnessed the killing of the first victim and the defendant (her pimp) feared she would provide information to law enforcement. The witness in the program was the defendant's (pimp's) girlfriend at the time of the two murders and she was relocated for her safety.
Disposition	<b>124 years – 187 PC, 664/187 PC, 246 PC, 29800(A)(1) PC</b>
<b>San Mateo County District Attorney's Office (10/15-36)</b>	
Case Facts	Gang-related homicide case. The victim was sitting in a vehicle with five other people when one of the defendants opened the car door and fired six shots into the vehicle. Four of the occupants were injured and the victim died from his wounds. The witness was one of the vehicle occupants and was known to the defendants. She and her family were relocated to ensure their safety.
Disposition	<b>50 years to life – 187 PC, 246 PC, 3 counts 245(b) PC; 4 years – 245(a)(4) PC, 32 PC, 667.6(b) PC</b>
<b>Santa Barbara County District Attorney's Office (10/15-102)</b>	
Case Facts	Gang-related homicide case. The victim was ambushed and shot from behind. He was taken to a local hospital where he died from his wounds. The witnesses were nearby and interacted with the defendants before and after the shooting. The witnesses and their family were relocated for their safety.
Disposition	<b>Life without parole (2 sentences) – 187 PC, 186.22 PC; 40 months, 3 years – 32 PC</b>
<b>Santa Cruz County District Attorney's Office (20/13-304)</b>	
Case Facts	Gang-related attempted homicide case. The victim in this case was a former gang member who was shot at by members of his former gang for quitting the gang. The victim identified his assailants and agreed to testify against them; and he and his family were relocated for their safety.
Disposition	<b>23 years – 211 PC, 122022.53(C) PC, 245(A)(1) PC, 122022.53(B) PC; 1 year – 211 PC</b>

<b>Shasta County District Attorney's Office (10/15-124)</b>	
Case Facts	High-risk homicide case. The victim in this case was shot at close range after two suspects forced their way into his residence. The witness was present during the incident and agreed to testify against the defendant. The witness received multiple threats and was subsequently relocated to ensure her safety.
Disposition	<b>3 years plus 40 years to life – 187(a) PC</b>
<b>Ventura County District Attorney's Office (25/14-67)</b>	
Case Facts	Gang-related robbery case. The victim and his friend were walking home when the defendant approached them and held a knife to the victim's back, demanding the victim give him the Play Station controller and 2 Play Station games the victim was carrying. The victim and his family were threatened and subsequently relocated to ensure their safety.
Disposition	<b>25 years – 211 PC, 664/211 PC, 12022(b)(1) PC</b>

# Testimonials

The program solicits information from local law enforcement agencies after the closure of their cases requesting comments or suggestions concerning the CalWRAP, its policies, or procedures. The comments received from these agencies during FY 2016-2017 contained many positive responses regarding the services of 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 during the past year.

## **Contra Costa County District Attorney's Office**

"CalWRAP continues to provide all of the services our office needs to assist witnesses, and to minimize danger to them. CalWRAP is a well-run program and its services are essential to our office's efforts to prosecute many of our county's most dangerous criminals."

## **Monterey County District Attorney's Office**

"The CalWRAP processes and services were great and provided the much needed funds to move and sustain the witness and his family. Without the CalWRAP program, the witness would not have testified in court. Being able to move the witness and provide subsistence effectively ensured the witness would testify in court despite having received several threats that were communicated through the extended family. The witness was very grateful for the opportunity to help on the case and for the assistance received."

"...As with previous CalWRAP cases, the conviction secured in this particular case would not have been possible without your assistance. Our witness agreed to testify only because we were able to offer him relocation assistance..."

## **Sacramento County District Attorney's Office**

"I've been working with DOJ and its CalWRAP Program for over 16 years now and have been always impressed, grateful, and appreciative of the program and outstanding staff!!!"

## **San Joaquin County District Attorney's Office**

"CalWRAP offered all the services needed in this case. Law enforcement was provided with great service and assistance throughout the process by Program Analyst. This case would not have been able to proceed through the criminal judicial system without CalWRAP to provide relocation assistance to the key witness in this case."

## **Ventura**

"Thank you for your assistance since prosecuting these cases without the assistance from CalWRAP would be very challenging if not impossible."

# Other Program Items of Interest

## **Administrative Status**

In FY 2016-2017, the CalWRAP expended \$343,318 on administrative costs, which include personnel resources and general operating expenses.

The program continued to operate with one full-time Associate Governmental Program Analyst and one full-time Staff Services Analyst.

## **Outreach and Training**

During FY 2016-2017, CalWRAP staff participated in several training venues for law enforcement personnel. The lead analyst provided training on the policies and procedures of the program for the California District Attorney Investigators Association. CalWRAP staff also continue to provide training to local district attorneys' offices upon request.







