

CITY OF GARDEN GROVE  
**INTER-DEPARTMENT MEMORANDUM**

To:	Matthew Fertal	From:	Joseph M. Polisar
Dept:	City Manager	Dept:	Police
Subject:	APPROVAL OF AGREEMENT WITH COUNTY OF ORANGE FOR THE TRANSFER OF FUNDS FOR JUSTICE ASSISTANCE GRANT PROGRAM AND ALLOCATION OF GRANT FUNDS TO JAIL SERVICES CONTRACT	Date:	November 11, 2008

OBJECTIVE

To gain City Council approval for the acceptance of Justice Assistance Grant funds, so that the City can receive approximately \$12,323 in federal funds.

BACKGROUND

In FY 2005-06, Congress combined the Local Law Enforcement Block Grant Program (primarily funding cities) with the Edward Byrne Memorial Grant (primarily funding states and counties), to provide funds for the new Justice Assistance Grant (JAG). All eligible Orange County cities under the new program now file a joint application with the County to receive their share of these funds. Garden Grove was selected as one of only eight cities countywide to receive this funding in 2008, compared to 18 cities in 2007. Approximately half of these funds (\$11,091) will be used to support PROACT, which is a countywide collaborative effort to crack down on drug labs. In FY 2008-09 Garden Grove's share of this grant will be \$12,323.

ANALYSIS

The Police Department will continue to use these funds to pay a portion of its jail services contract with Correctional Systems Inc. (CSI). The jail contract saves thousands of department man-hours and is a key component for maximizing police officer time out on the streets.

COMMUNITY VISION IMPLEMENTATION

Using JAG funding to help fund the Department's Jail Services contract meets the Council's vision for the community because it will enhance public safety by enabling the Department to increase officer time on the street.

APPROVAL OF AGREEMENT WITH COUNTY OF ORANGE FOR THE TRANSFER OF  
FUNDS FOR JUSTICE ASSISTANCE GRANT PROGRAM AND ALLOCATION OF GRANT  
FUNDS TO JAIL SERVICES CONTRACT

November 11, 2008

Page 2

FINANCIAL IMPACT

Using JAG money to help fund the Department's jail services will create no burden on the City's General Fund.

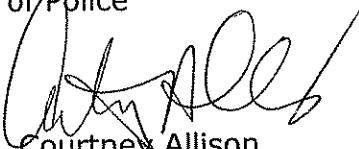
RECOMMENDATION

It is recommended that City Council:

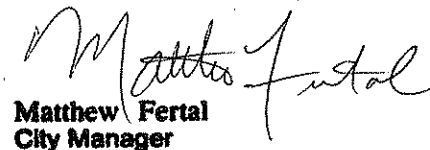
- Approve agreement to transfer funds for 2008 Edward Byrne Memorial Justice Assistance Grant (JAG) program.
- Authorize the Mayor and City Clerk to execute the agreement with the County of Orange to fund the PROACT program with a share of the City's Justice Assistance Grant.
- Allocate the remainder of the City's Justice Assistance Grant to fund the Police Department's Jail Services Contract with Correctional Systems Inc.



Joseph M. Polisar  
Chief of Police

by:   
Courtney Allison  
Police Fiscal Analyst

**Recommended for Approval**

  
**Matthew Fernal**  
City Manager

Attachment 1: OC Sheriff's Department letter dated October 21, 2008  
Attachment 2: 2008 Justice Assistance Grant Agreement to Transfer Funds  
Attachment 3: Program Narrative



**SHERIFF-CORONER DEPARTMENT  
COUNTY OF ORANGE  
CALIFORNIA**

**ATTACHMENT 1**

**SANDRA HUTCHENS  
SHERIFF-CORONER**

**UNDERSHERIFF  
JOHN L. SCOTT**

431 THE CITY DRIVE SOUTH  
ORANGE, CA 92868  
(714) 935-6661  
FAX (714) 935-6669

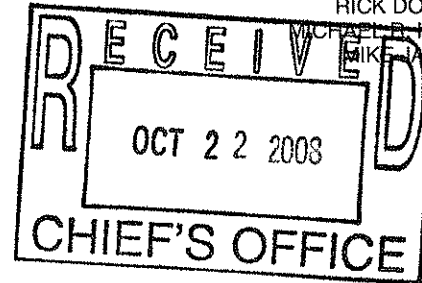
**RESEARCH AND DEVELOPMENT**

**EXECUTIVE COMMAND**

JACK ANDERSON  
JOHN B. DAVIS  
RICK DOSTAL  
MICHAEL B. HILLMANN  
MIKE JAMES

Joseph Polisar, Chief of Police  
City of Garden Grove  
11301 Acacia Parkway  
Garden Grove, CA 92640

October 21, 2008



RE: 2008 Justice Assistance Grant Fund Distribution Agreement

Chief Polisar,

As you know, the 2008 Edward Byrne Memorial Justice Assistance Grant program (JAG), requires a single unit of county government to function as the applicant/fiscal agent to apply for, receive and administer the funds on behalf of all sub-grantees eligible to receive funds.

The County of Orange designated its Sheriff's Department to act as the applicant/fiscal agent for the JAG. In order to satisfy a JAG program requirement, a Memorandum of Understanding (MOU) was signed by all eligible sub-grantees acknowledging the Sheriff's Department as the single applicant/fiscal agent for the JAG funds.

The 2008 JAG application was completed and the county is awaiting the transfer of funds, which will be deposited into a trust account as required by law. To legally distribute these federal funds, the County of Orange is required to utilize a formal distribution method to reimburse the local agencies for their expenditures and for transfers of funds to the County Methamphetamine Task Force.

The attached documents outline the financial and programmatic reporting procedures for the 2008 JAG program. Please obtain formal City Council approval for the attached document titled "2008 JAG Agreement to transfer funds" and return a hard copy with the City Clerk and City Council signatures to me no later than November 28, 2008. No reimbursements will be authorized until recipients submit the distribution document described above.

Questions regarding these requirements can be directed to me at (714) 935-8432 or Deputy Dee Dee Kurimay at (714) 935-6869. Thank you for your prompt attention to this matter.

Sincerely,

Lt. Dottie Ronan

**PROUDLY SERVING THE UNINCORPORATED AREAS OF ORANGE COUNTY AND THE FOLLOWING CITIES AND AGENCIES:**

ALISO VIEJO • DANA POINT • LAGUNA HILLS • LAGUNA NIGUEL • LAGUNA WOODS • LAKE FOREST • MISSION VIEJO  
RANCHO SANTA MARGARITA • SAN CLEMENTE • SAN JUAN CAPISTRANO • STANTON • VILLA PARK  
OC PARKS • DANA POINT HARBOR • JOHN WAYNE AIRPORT • OCTA • SUPERIOR COURT





**AGREEMENT TO TRANSFER FUNDS  
FOR 2008 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)  
PROGRAM**

**THIS AGREEMENT** is entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2008, which date is enumerated for purposes of reference only, by and between the COUNTY OF ORANGE, a political subdivision of the State of California, hereinafter referred to as "COUNTY", and City of Garden Grove, a municipal corporation, hereinafter referred to as "SUBGRANTEE."

**WHEREAS**, COUNTY, acting through its Sheriff-Coroner Department, hereinafter referred to as SHERIFF, in its capacity as the lead agency on behalf of eight units of local government, including SHERIFF and SUBGRANTEE, has applied for, received and accepted the Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (hereinafter referred to as "the grant").

**WHEREAS**, the purpose of the grant is to supplement the resources available to the multi agency Orange County Pro-Active Methamphetamine Laboratory Investigative Team (PROACT), and to various programs designated to prevent and control crime within the County of Orange that are operated by individual agencies included in the above-referenced eight units of local government, as set forth in Attachment A hereto (Program Narrative in the grant MOU), which is attached hereto and incorporated herein by reference.

**WHEREAS**, the terms of the grant require that certain grant funds be transferred to SUBGRANTEE to be used for the grant purposes, which may include local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for law enforcement, as more particularly described in Attachment A hereto.

**NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:**

1. COUNTY shall transfer to SUBGRANTEE grant funds, in arrears, as necessary to reimburse SUBGRANTEE for reasonable and permissible expenditures for the grant purposes. In order to obtain grant funds, SUBGRANTEE shall comply with the instructions and submit to SHERIFF all

1 required information and documentation, as set forth in Attachment B hereto ("How to Apply for JAG  
2 Grant Reimbursements"), which is attached hereto and incorporated herein by reference. In no event  
3 will the total amount of the grant funds transferred by COUNTY to SUBGRANTEE hereunder exceed  
4 SUBGRANTEE's allocation, as set forth in Attachment C hereto ("JAG Program Allocation"), which is  
5 attached hereto and incorporated herein by reference.

6 2. SUB-GRANTEE shall be reimbursed with said grant funds only for expenditures  
7 necessary to acquire personal property or equipment as set forth in Attachment A hereto [hereinafter  
8 called "grant property and equipment"] or to perform such other grant functions, if any, for which  
9 Attachment A specifies that SUBGRANTEE may utilize grant funds.

10 3. Throughout their useful life, SUBGRANTEE shall use grant property and equipment  
11 only for grant purposes in accordance with Attachment A hereto.

12 4. SUBGRANTEE shall exercise due care to preserve and safeguard grant property and  
13 equipment from damage or destruction and shall provide regular maintenance and such repairs for grant  
14 property and equipment as are necessary, in order to keep said grant property and equipment  
15 continually in good working order.

16 5. If grant property or equipment becomes obsolete, SUBGRANTEE shall dispose of it  
17 only in accordance with the instructions of COUNTY or the agency from which COUNTY received the  
18 grant funds.

19 6. SUBGRANTEE shall submit to the COUNTY grant program reporting documents and  
20 information in accordance with requirements set out in Attachment D ("Edward Byrne Memorial Justice  
21 Assistance Grant Reporting Requirements"), which is attached hereto and incorporated herein by  
22 reference.

23 7. SUBGRANTEE shall comply with all applicable terms of the certification(s) that are  
24 attached hereto as Attachment E and incorporated herein by reference.

25 8. By executing this Agreement, SUBGRANTEE agrees to comply with and be fully  
26 bound by this Agreement and all applicable provisions of Attachments A, B, C, D and E hereto.  
27 SUBGRANTEE shall notify COUNTY immediately upon discovery that it has not abided or no longer  
28 will abide by any applicable provision of this Agreement or Attachments A, B, C, D or E hereto.

1           9.       SUBGRANTEE and COUNTY shall be subject to examination and audit by the State  
2 Auditor General with respect to this Agreement for a period of three years after final payment  
3 hereunder.

4           10.      SUBGRANTEE agrees to indemnify, defend and save harmless COUNTY and the  
5 agency from which COUNTY received grant funds, and their elected and appointed officials, officers,  
6 agents and employees from any and all claims and losses accruing or resulting to any and all contractors,  
7 subcontractors, laborers, and any other person, firm or corporation furnishing or supplying work,  
8 services, materials or supplies in connection with SUBGRANTEE's performance of this Agreement,  
9 including Attachments A, B, C, D and E hereto, and from any and all claims and losses accruing or  
10 resulting to any person, firm, or corporation who may be injured or damaged by SUBGRANTEE in the  
11 performance of this Agreement, including Attachments A, B, C, D and E hereto.

12           11.      No alteration or variation of the terms of this Agreement shall be valid unless made in  
13 writing and signed by duly authorized representatives of the parties hereto, and no oral understanding or  
14 agreement not incorporated herein shall be binding on any of the parties hereto.

15           12.      SUBGRANTEE may not assign this Agreement in whole or in part without the express  
16 written consent of COUNTY.

17           13.      For a period of three years after final payment hereunder or until all claims related to  
18 this Agreement are finally settled, whichever is later, SUBGRANTEE shall preserve and maintain all  
19 documents, papers and records relevant to the work performed or property or equipment acquired in  
20 accordance with this Agreement, including Attachments A, B, C, D and E hereto. For the same time  
21 period, SUBGRANTEE shall make said documents, papers and records available to COUNTY and the  
22 agency from which COUNTY received the grant funds or their duly authorized representative(s), for  
23 examination, copying, or mechanical reproduction on or off the premises of SUBGRANTEE, upon  
24 request, during usual working hours.

25           14.      SUBGRANTEE shall provide to COUNTY all records and information requested by  
26 COUNTY for inclusion in quarterly reports and such other reports or records as COUNTY may be  
27 required to provide to the agency from which COUNTY received grant funds or other persons or  
28 agencies.

1           15.     COUNTY may terminate this Agreement and be relieved of the payment of any  
2 consideration to SUBGRANTEE if a) SUBGRANTEE fails to perform any of the covenants contained  
3 in this Agreement, including the applicable terms of Attachments A, B, C, D and E hereto, at the time  
4 and in the manner herein provided, or b) COUNTY loses funding under the grant. In the event of  
5 termination, COUNTY may proceed with the work in any manner deemed proper by COUNTY.

6           16.     SUBGRANTEE and its agents and employees shall act in an independent capacity in the  
7 performance of this Agreement, including Attachments A, B, C, D and E hereto, and shall not be  
8 considered officers, agents or employees of COUNTY or SHERIFF or of the agency from which  
9 COUNTY received grant funds.

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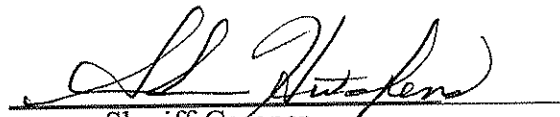
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1 IN WITNESS WHEREOF, the parties have executed this Agreement in the County of Orange,  
2 State of California.

3  
4 DATED: 10/21, 2008

COUNTY OF ORANGE, a political  
subdivision of the State of California

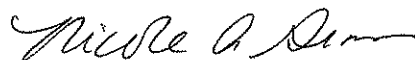
5  
6 By

  
Sheriff-Coroner  
"COUNTY"

7  
8 APPROVED AS TO FORM:

9 COUNTY COUNSEL

10  
11 By

  
Nicole Sims, Deputy

12  
13 DATED: 9/18, 2008

14  
15 DATED: \_\_\_\_\_, 2008

SUBGRANTEE

16  
17 By \_\_\_\_\_

18  
19  
20 ATTEST:

21  
22 \_\_\_\_\_  
City Clerk

23  
24 DATED: \_\_\_\_\_, 2008

APPROVED AS TO FORM

By

  
Assistant City Attorney

Date: 10-28-08



## ATTACHMENT A

Edward Byrne Memorial Justice Assistance Grant  
GMS Award No. 2008-DJ-BX-0103

**PROGRAM NARRATIVE****General Description of Program Activities:**

The Edward Byrne Memorial Justice Assistance Grant (JAG) funds will be utilized to support a broad range of activities to prevent and control crime within the County of Orange. The County of Orange has been certified disparate; therefore, this joint application includes eight units of local government for which the applicant and fiscal agent is the County of Orange.

The JAG funds will be utilized for the purpose areas outlined in the grant solicitation. The eight units of local government in the jurisdiction will utilize the funds for local initiatives, technical assistance, training, personnel, equipment, supplies, and contractual support and information systems for criminal justice within the following purpose areas: law enforcement, prosecution and court, prevention and education, corrections and community corrections, drug treatment, and planning, evaluation and technology improvement. The expenditure details of the funds for each city are outlined in the following narrative.

**Multi-Agency Funding:**

In a collaborative effort to benefit the County of Orange, the eight units of local government involved in this grant application have agreed to utilize \$86,950.50 (approximately 41.5%) of the total funding to supplement the Orange County Pro-Active Methamphetamine Laboratory Investigative Team, hereafter referred to as PROACT.

**Problem Statement:**

Methamphetamine is the primary drug investigated by local, state, and federal law enforcement agencies within the boundaries of Orange County. Successful clandestine methamphetamine laboratory investigations require acquired expertise and are extremely time consuming and labor intensive. Local law enforcement agencies do not have the resources, specialized training, or safety equipment necessary to conduct the specialized investigations required to combat these types of operations. The labs themselves are toxic and explosive in nature. Children of clandestine laboratory operators and meth users are often forced to live in an environment of toxic chemicals with lasting effects on their health. The Team investigates suspected lab incidents within Orange County while maintaining a close liaison with local agencies. These agencies forward intelligence to the team for review, evaluation, and action by the Team. The multi-jurisdictional pro-active Orange County Methamphetamine Laboratory Investigation Team (OCMLIT or PROACT) functions as the sole and highly unique "proactive" effort against the methamphetamine laboratory operators and traffickers within and having a nexus to Orange County.

## ATTACHMENT A

The OCMLIT integrates city law enforcement agencies, the Sheriff's Department, the District Attorney's Office, the Bureau of Narcotic Enforcement, and the Probation Department to conduct criminal investigations of clandestine methamphetamine laboratory operators and traffickers. The Team initiates investigations based upon intelligence received, conducts covert fixed, mobile and aerial surveillances, prepares and executes search warrants, identifies, arrests, and interrogates criminal suspects. Overall, the Team functions as Orange County's sole and unique proactive effort against methamphetamine laboratory operators with an area of focus on disrupting and arresting individuals responsible for providing the precursor and essential chemicals required to manufacture methamphetamine.

### Goal:

The goal of the PROACT Task Force is to pro-actively seek out and eradicate all methamphetamine labs and methamphetamine in Orange County, thus providing a safer community for the residents, employees and visitors within the County.

### Objectives:

The objectives of the Orange County Methamphetamine Laboratory Investigation Team are to:

- Reduce the availability of methamphetamine in Orange County
- Improve public safety in Orange County by eradicating hazardous methamphetamine labs
- Identify, disrupt and arrest suppliers of methamphetamine precursor and essential chemicals

### Quantifiable Performance Measures:

Project performance will be measured by the number of clandestine laboratory incident seizures, cases initiated, cases completed, arrests, searches, methamphetamine seized, precursor & essential chemicals seized, cases referred for prosecution, cases filed for prosecution, and convictions that are accomplished by the Team or as a result of the Team's activities.

### Funding:

<b>TOTAL PROACT ALLOCATION:</b>	<b>\$86,950.50</b>
<b>TOTAL ADMINISTRATION FEE:</b>	<b>\$10,458.00</b>
<b>TOTAL CITY DISTRIBUTION:</b>	<b>\$111,751.50</b>
<b>TOTAL JAG FUNDING:</b>	<b>\$209,160.00</b>

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## Anaheim City:

The City of Anaheim proposes to use the 2008 Justice Assistance Grant funding as follows:

### Problem Statement:

**Digital Imaging Management System (DIMS)** is the storage and administrating system for all crime scene and law enforcement related photographs taken by the Anaheim Police Department. Police personnel throughout the City can download images and then review them from their work stations. The system maintains evidence control and an audit trail for security. The existing DIMS hardware requires an additional near line storage to meet increased storage needs for the addition of digital audio and video and to comply with best practice rules of digital evidence.

## ATTACHMENT A

Federal guidelines on digital evidence recommends burning the information to disks in addition to on-line RAID storage.

Goal:

Purchase a DIMS Enterprise Blu-ray Digital Optical Library and Controller creating a near-line storage space of 34 terabytes. Burning storage to disks complies with best practice rules for digital evidence and allows for long term off-line storage.

Objectives:

Create sufficient electronic storage space for the expanding demands on DIMS.

Quantifiable Performance Measures:

Increase storage by 34 TB in system with capabilities to expand to 69 TB in the future.

Funding:

**Total Allocation: \$54,863.00**

**PROACT Contribution: \$24,688.35**

**Administrative Fee (5.0%): \$2,743.15**

**Funds Retained by City: \$27,431.50**

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### **Buena Park City:**

**The City of Buena Park proposes to use the 2008 Justice Assistance Grant funding as follows:**

Problem Statement:

The Police Department currently has a patrol staff of 38 sworn officers. Due to the budget constraints, this number is down from 39 as of July 2004. Additional budget constraints a few years ago reduced the number of Community Service Aides (CSA – Front Counter Personnel) from 13 to 10. This reduction has resulted in field officers handling more reports in the field and at the front counter. Due to this reduction, field officers are spending less time conducting primary patrol duties, which serves and protects the population of Buena Park. In order to return the current sworn staff to regular patrol duties, civilian report takers continuously need to be hired to assist in the everyday operations of report taking. This will continue to allow our patrol officers to protect property, and to ensure the safety of the residents, business community, and visitors alike.

Goal:

To ensure the safety of the officers tasked with providing law enforcement services to our city, and to ensure the community receives law enforcement services in a timely manner.

Objectives:

The objective is to maintain a full staff of civilian report writers to assist with the everyday tasks of reporting non-violent crimes. This will allow field officers to focus more on the front-line of protecting our population, and to reduce response time to calls for service.

## ATTACHMENT A

### Quantifiable Performance Measures:

We intend to measure our performance by analyzing our response times to calls for service. It is our intention to provide response to emergency calls within five minutes, and response to non-emergency calls within fifteen minutes of the receipt of the call. Once we hire and maintain a full staff of civilian report writers, we will be able to examine data to determine whether this expansion of personnel is assisting us in obtaining that goal.

### Funding:

**Total Allocation: \$10,538.00**

**PROACT Contribution: \$0.00**

**Administrative Fee (5.0%): \$526.90**

**Funds Retained by City: \$10,011.00**

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## **Costa Mesa City:**

**The City of Costa Mesa proposes to use the 2008 Justice Assistance Grant funding as follows:**

### Problem Statement #1:

The Department has recently implemented a new automated Jail Management System (JMS) in the jail facility. JMS is utilized to accumulate and store confidential information on arrestees processed at the CMPD Jail. A shortcoming of JMS is that there is no form of backup to ensure data integrity, availability, and confidentiality.

### Goal #1:

To procure "FileMaker DataGuard" plug-in for data auditing purposes. This device is required to enhance JMS and ensure the integrity, availability, and confidentiality of collected data.

### Objectives #1:

1. Requisition the purchase of "FileMaker DataGuard" plug-in within one month of funding approval.
2. Install and implement the device in support of JMS within two months of receiving the license.

### Quantifiable Performance Measures #1:

These objectives will be measured by the timelines stated under "Objectives."

### Problem Statement #2:

Department personnel currently lack a resource that provides a thorough and up-to-date compilation of case laws, with examples and explanations of how the laws are applied. This type of resource would be beneficial to personnel's professional development and as a reference tool in the performance of their duties.

### Goal #2:

To procure a "Legal Source Book" site license that will provide the resource desired by the agency, which can be accessed through Department PCs, vehicle MDCs, and employee's personal computers. This resource will provide personnel with the knowledge to be more proficient in the performance of their duties and the basic legal principles and information to

## ATTACHMENT A

exercise good judgment. It will also be used as an educational and training text on the many different aspects of law enforcement.

### Objectives #2:

1. Requisition the purchase of the site license within one month of funding approval.
2. Install and make the resource accessible to personnel within two months of receiving the license.

### Quantifiable Performance Measures #2:

These objectives will be measured by the timelines stated under "Objectives."

### Problem Statement #3:

The Department is currently looking into a community outreach program designed to identify and provide service to individuals suffering from mental illness within Costa Mesa. In implementing this program, additional work spaces will be required for the officers responsible for supervising and working the program. These work spaces will also require PCs that will be used by the law enforcement personnel. The Department lacks the funds to purchase a PC required for the program's workstations.

### Goal #3:

To procure a PC for a workstation assigned to the Department's community outreach program. This provides the resources required for personnel to effectively fulfill their responsibilities and better serve the community. The PC will be used to input data, access resources, and complete required administrative tasks.

### Objectives #3:

1. Requisition the purchase of a workstation PC within one month of funding approval.
2. Assign and install the PC to a workstation that will be used to implement and monitor the community outreach program, to be completed within one month of receiving the PC.

### Quantifiable Performance Measures #3:

These objectives will be measured by the timelines stated under "Objectives."

### Funding:

**Total Allocation: \$10,526.00**

**PROACT Contribution: \$4,736.70**

**Administrative Fee (5.0%): \$526.30**

**Funds Retained by City: \$5,263.00**

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## Fullerton City:

**The City Fullerton proposes to use the 2008 Justice Assistance Grant funding as follows:**

The city of Fullerton will be allocating its entire amount of the Justice Assistance Grant funds, less an administrative fee of 5% to the Orange County Pro-Active Methamphetamine Laboratory Investigative Team (PROACT). See pages 1 and 2 of this document, "Multi-Agency Funding" for a complete description of the program including the goals, objectives and quantifiable performance measures.

## ATTACHMENT A

### Funding:

**Total Allocation: \$14,685.00**

**PROACT Contribution: \$13,950.75**

**Administrative Fee (5.0%): \$734.25**

**Funds Retained by City: \$0.00**

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### **Garden Grove City:**

**The City of Garden Grove proposes to use the 2008 Justice Assistance Grant funding as follows:**

#### Problem Statement:

The Garden Grove Police Department has one of the lowest number of officers per capita of any city its size in California. This problem will only get worse as the City's population continues to increase. Unfortunately, Garden Grove's current financial condition prohibits the Department from hiring additional personnel. The Department, to fulfill its ever-increasing demand for officers, must develop alternative solutions to increase officer time in the field without hiring additional Personnel

#### Goal:

Create operational efficiencies in Patrol that would generate the equivalent productive hours of up to five additional Police Officers that could be used to augment patrol operations.

#### Objectives:

Contracting out jail services will allow the Police Department to concentrate much more of its efforts on community safety instead of expending energy and resources on jail operations. The jail contract will allow sworn police officers to process arrestees and return to their field duties in as little as 15 minutes. This in turn will increase their availability to handle additional calls for service.

#### Quantifiable Performance Measures:

The hours saved will be calculated by multiplying the number of arrestees processed in the jail, and multiplying that by the average time saved by officers not having to process and transport the prisoner themselves.

### Funding:

**Total Allocation: \$24,647.00**

**PROACT Contribution: \$11,091.15**

**Administrative Fee (5.0%): \$1,232.35**

**Funds Retained by City: \$12,323.50**

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## ATTACHMENT A

### Huntington Beach City:

**The City of Huntington Beach proposes to use the 2008 Justice Assistance Grant funding as follows:**

*Problem Statement:*

The Huntington Beach Police Department Air Support Unit has three helicopters which they maintain at the Huntington Beach Police Heliport. Air Support is an integral part of the Patrol Bureau's service and has shown to be first on scene on calls for service the majority of the time. They are in current need of specialized tools and equipment that will facilitate keeping their helicopters operational as often as possible.

*Goal:*

Purchase new specialized equipment to efficiently maintain the helicopters in the Air Support Unit.

*Objectives:*

Maintain the helicopters as efficiently as possible in order to provide the highest quality service by the Patrol Bureau.

*Quantifiable Performance Measures:*

Reduce time in which helicopters are unavailable do to maintenance or repair by 10%.

*Funding:*

**Total Allocation: \$15,202.00**

**PROACT Allocation: \$0.00**

**Administrative Fee (5.0%): \$760.10**

**Funds Retained by City: \$14,441.90**

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### Santa Ana City:

**The City of Santa Ana proposes to use the 2008 Justice Assistance Grant funding as follows:**

*Problem Statement:*

The Career Criminal Unit was formed in 2002. The mission of the Career Criminal Unit is to identify, target, and prosecute the most criminally active and violent gang members and enterprises impacting the City of Santa Ana and the County of Orange. Seven detectives and one sergeant are assigned to the unit in an undercover capacity. City funds are not available to purchase necessary surveillance equipment.

*Goal:*

To target and apprehend the most criminally active gangs and criminal enterprises.

## ATTACHMENT A

### Objectives:

The goal will be accomplished through increased surveillance efforts, utilizing crime pattern and trend information and use of informants in order to target criminal street gangs and criminal enterprises. The funds will be allocated for equipment such as: binoculars, laptops, cameras, telephoto lens, GPS Navigation systems, recon robot, and a mobile firearms training targeting system.

### Quantifiable Performance Measures:

The Career Criminal Unit detectives will continue to keep statistics on the following:

- Number and type of arrests
- Number of weapons seized
- Amount of narcotics seized

### Funding:

**Total Allocation: \$66,975.00**

**PROACT Contribution: \$30,138.75**

**Administrative Fee (5.0%): \$3,348.75**

**Funds Retained by City: \$33,487.50**

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## **Westminster City:**

**The City of Westminster proposes to use the 2008 Justice Assistance Grant funding as follows:**

### Problem Statement:

Access to GIS encoded data and maps limited to those projects requested of the Crime Analyst. Many requests are relatively straightforward, requiring mapping of one crime over various time intervals. Ideally, these requests could be performed by officers, detectives, and supervisors directly if WPD had a basic crime mapping system using GIS and crime data. Placement of the system on the department's Intranet would provide for remote offsite access to this functionality, and would allow us to track system use, and make this service available over our wireless network.

### Goal:

To provide system maintenance for GIS and Intranet system in order to continue centralized access to crime mapping and essential files and department information.

### Objectives:

1. To pay for the Intranet system that is hosted on the Internet.
2. To maintain and update crime mapping mobile and in-house application developed with GIS type of interface
3. Continue to provide training to personnel to ensure continued use of systems.

## ATTACHMENT A

### Quantifiable Performance Measures:

1. Continue maintenance and updates on Intranet with service provider.
2. Continue maintenance and updates on GIS crime mapping system for mobile and in-house workstations with service provider.
3. Train 20% of police department personnel in the use of these two systems.
4. Monitor use of the system by personnel.

### Funding:

**Total Allocation: \$11,724.00**

**PROACT Contribution: \$2,344.80**

**Administrative Fee (5.0%): \$586.20**

**Funds Retained by City: \$8,793.00**

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## ***ATTACHMENT B***

### **HOW TO APPLY FOR JAG GRANT REIMBURSEMENTS**

**1. A letter on your letterhead that includes or states the following:**

- A. Your agency's request for reimbursement in the amount of \$\_\_\_\_\_;
- B. Against Grant # 2008-DJ-BX-0103;
- C. Certification that you complied with all procurement procedures outlined in your agency's procurement manual and financial and administrative requirements set forth in the current OJP Financial guide.
- D. Name of payee and address of where payment is to be sent
- E. Letter is to be signed by the person authorized in the JAG Program MOU.

**2. Required attachments to the letter:**

- A. Your agency is required to **submit quarterly Financial Status Report (FSRs) using a Standard Form 269A (SF-269A)**. This report reflects the actual federal monies spent, unliquidated obligations incurred, and the unobligated balance of federal funds. **The FSR is due at the Sheriff's Department Financial Division no later than 15 days following each calendar quarter, even if you don't have any reimbursement claims.** The reporting quarter end dates and due dates are as follows:

Qtr. ending 03-31-YY due no later than 4/15  
Qtr. ending 06-30-YY due no later than 7/15  
Qtr. ending 09-30-YY due no later than 10/15  
Qtr. ending 12-31-YY due no later than 01/15

A helpful hints guide for completing FSRs is available at the DOJ-OJP website at: <http://www.ojp.usdoj.gov/funding/forms.htm>

- B. All invoices and relevant purchase orders pertaining to federal monies spent.
- C. Time Sheets and part of payroll register showing personnel name or other individual identifier and details of payroll costs claimed, if any.
- D. Copies of signed check(s) for purchase(s);

**All of the above documentation must be provided or your claim cannot be processed.**

If you have any questions please call Yumi Leung at (714) 834-6674.  
Send your claim to the Attention of Yumi Leung at 320 North Flower Street Suite 108,  
Santa Ana, Calif. 92703.



**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT****PROGRAM REPORTING REQUIREMENTS**

Program Reports must be submitted annually to the Lead Agency (Sheriff's Department). The Office of Justice Programs (OJP) has established a **new permanent reporting period and due date for all JAG reports. The reporting period is January 1 – December 31 of each year of the grant. The new due date for program reports is February 1 of each year of the grant.** The reporting requirements are designed to provide the grantor agency with sufficient information to monitor grant implementation and goal achievement. The reports must be keyed to your problem statement, goal, objectives and quantifiable performance measures. Specifically, the report should:

1. Indicate the status of each goal that was due for completion during a previous reporting period but carried over due to implementation of other problems.
2. State the status of each goal which was scheduled to be achieved during the report.
3. State the corrective action planned to resolve implementation problems and state the effect of these problems on the remaining schedule for achieving the project remaining goals.
4. If appropriate, identify changes that are needed in the implementation plan specified in the grant application to overcome problems. Changes that alter plans and/or goals set forth in the application require prior grantor agency approval and issuance of a Grant Adjustment Notice (GAN).
5. State what technical assistance the grantor agency might provide during the next six month period to help resolve implementation problems. If technical assistance has been provided to resolve implementation problems, state the problems (or tasks) addressed and the results (or impact) of the assistance provided.
6. Based on the performance measures set forth in the grant application (implementation plan), indicate in quantitative terms the results (of the project) achieved both during the reporting period and cumulative-to-date. Explanatory and qualifying statements will be helpful here, especially if project objectives have changed.

**SPECIAL REQUIREMENTS**

Special reporting requirements or instructions may be prescribed for categorical projects in certain program or experimental areas to better assess impact and comparative effectiveness of the overall categorical grant program. These will be communicated to affected grantees by the agency.

Please submit all Program Reports via e-mail and direct any questions regarding the grant program reporting to Deputy Dee Dee Kurimay. (714) 935-6869

[dmkurimay@ocsd.org](mailto:dmkurimay@ocsd.org)

431 The City Drive South  
Orange, CA 92868

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and regulations. We at OCR are available to help you and your organization meet the civil rights requirements that come with Justice Department funding.

### **Ensuring Access to Federally Assisted Programs**

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

### **Providing Services to Limited English Proficiency (LEP) Individuals**

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at <http://www.lep.gov>.

### **Ensuring Equal Treatment for Faith-Based Organizations**

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see OCR's website at <http://www.ojp.usdoj.gov/ocr/etfbo.htm>.

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

### **Enforcing Civil Rights Laws**

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

### **Complying with the Safe Streets Act or Program Requirements**

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. §

3789d(c), or other Federal grant program requirements, must meet two additional requirements: (1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEOP), 28 C.F.R. § 42.301-.308, and (2) submitting to OCR Findings of Discrimination (see 28 C.F.R. §§ 42.205(5) or 31.202(5)).

### 1) Meeting the EEOP Requirement

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEOP reporting requirements:

If your organization has received an award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEOP and submit it to OCR for review **within 60 days from the date of this letter**. For assistance in developing an EEOP, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eeop.htm>. You may also request technical assistance from an EEOP specialist at OCR by dialing (202) 616-3208.

If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEOP, but it does not have to submit the EEOP to OCR for review. Instead, your organization has to maintain the EEOP on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEOP requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

### 2) Submitting Findings of Discrimination

In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

### Ensuring the Compliance of Subrecipients

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEOP, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307- 0690 or visit our website at <http://www.ojp.usdoj.gov/ocr/>.

### *SPECIAL CONDITIONS*

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, as further described in the current edition of the OJP Financial Guide, Chapter 19.

4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA) and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, prior to obligating grant funds, the grantee agrees to first determine if any of the following activities will be related to the use of the grant funds.

The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; and,
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.

Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

6. This special condition facilitates compliance with the provisions of the National Environmental Policy Act (NEPA) relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories [hereinafter, "meth lab operations"]. No monies from this award may be obligated to support meth lab operations unless the grantee implements this special condition.

The Office of Justice Programs (OJP), in consultation with the Bureau of Justice Assistance, the Drug Enforcement Administration, and the Office for Community Oriented Policing Services, prepared a Program-level Environmental Assessment (Assessment) governing meth lab operations. The Assessment describes the adverse environmental, health, and safety impacts likely to be encountered by law enforcement agencies as they implement specific actions under their methamphetamine laboratory operations. Consistent with the Assessment, the following terms and conditions shall apply to the grantee for any OJP funded methlab operations:

- A. The grantee shall ensure compliance by OJP funded sub-grantees with federal, state, and local environmental, health, and safety laws and regulations applicable to meth lab operations, to include the disposal of the chemicals, equipment, and wastes resulting from those operations.
  - B. The grantee shall have a Mitigation Plan in place that identifies and documents the processes and points of accountability within its state. This plan will be used to ensure that the adverse environmental, health, and safety impacts delineated in the Assessment are mitigated in a manner consistent with the requirements of this condition.
  - C. The grantee shall monitor OJP funded meth lab operations to ensure that they comply with the following nine mitigation measures identified in the Assessment and whose implementation is addressed in the grantee's Mitigation Plan. These mitigation measures must be included as special conditions in all subgrants: (See Part II of this special condition)
7. 1. Provide medical screening of personnel assigned or to be assigned by the grantee to the seizure or closure of clandestine methamphetamine laboratories;

2. Provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and all other personnel assigned to either the seizure or closure of clandestine methamphetamine laboratories;
3. As determined by their specified duties, equip the personnel with OSHA required protective wear and other required safety equipment;
4. Assign properly trained personnel to prepare a comprehensive contamination report on each seized/closed laboratory;
5. Utilize qualified disposal personnel to remove all chemicals and associated glassware, equipment, and contaminated materials and wastes from the site(s) of each seized laboratory;
6. Dispose of the chemicals, equipment, and contaminated materials and wastes at properly licensed disposal facilities or, when allowable, at properly licensed recycling facilities;
7. Monitor the transport, disposal, and recycling components of subparagraphs numbered 5. and 6. immediately above in order to ensure proper compliance;
8. Have in place and implement a written agreement with the responsible state environmental agency. This agreement must provide that the responsible state environmental agency agrees to (i) timely evaluate the environmental condition at and around the site of a closed clandestine laboratory and (ii) coordinate with the responsible party, property owner, or others to ensure that any residual contamination is remediated, if determined necessary by the state environmental agency and in accordance with existing state and federal requirements; and
9. Have in place and implement a written agreement with the responsible state or local service agencies to properly respond to any minor, as defined by state law, at the site. This agreement must ensure immediate response by qualified personnel who can (i) respond to the potential health needs of any minor at the site; (ii) take that minor into protective custody unless the minor is criminally involved in the meth lab activities or is subject to arrest for other criminal violations; (iii) ensure immediate medical testing for methamphetamine toxicity; and (iv) arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.
8. The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund may not be used to pay debts incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate and expend the grant funds in the trust fund (including any interest earned) during the period of the grant. Grant funds (including any interest earned) not expended by the end of the grant period must be returned to the Bureau of Justice Assistance no later than 90 days after the end of the grant period, along with the final submission of the Financial Status Report (SF-269).
9. The grantee agrees to comply with all reporting, data collection and evaluation requirements, as prescribed by the BJA in the program guidance for the Justice Assistance Grant (JAG). Compliance with these requirements will be monitored by BJA.
10. The recipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per 28 C.F.R. 23.20(g). Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.
11. The recipient agrees to ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditure period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to <http://www.ojp.usdoj.gov/ec/states.htm>.
12. To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdiction, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.
13. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice

regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion.

**14. All grants funded under the Edward Byrne Memorial Justice Assistance Grant Program (JAG) will carry the following NEPA special condition:**

1) The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA) and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, prior to obligating grant funds, the grantee agrees to first determine if any of the following activities will be related to the use of the grant funds. The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; and,
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.

Application of this special condition to grantee's existing programs or activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.