

RECOMMENDATION

It is recommended that the City Council:

- Approve the Agreement with the County of Orange for the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) program; and allocation of those grant funds to the City's jail services; and
- Authorize the Mayor to execute the agreement with the County of Orange to partially fund the Police Department's Jail Services Contract with The GEO Group, Inc.



TODD D. ELGIN
Chief of Police



By: Courtney Allison
Police Fiscal Analyst

- Attachment 1: 2015 JAG Program Narrative
Attachment 2: 2015 JAG Program Grant Award Documents
Attachment 3: 2015 JAG Program Agreement to Transfer Funds (three originals)

Recommended for Approval



Scott C. Stiles
City Manager

Attachment 1

Attachment A

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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 ten units of local government for which the applicant and fiscal agent is the County of Orange.

The JAG funds will be utilized for the program/purpose areas outlined in the grant solicitation. The ten units of local government in the jurisdiction will utilize the funds for law enforcement, local initiatives, technical assistance, strategic planning, research and evaluation, data collection, personnel, equipment, forensic laboratories, supplies, contractual support and information systems for program areas. The JAG funds support all components of the criminal justice system, from multi-jurisdictional drug and gang task forces to crime prevention programs, prosecution and court, corrections, drug treatment and enforcement and technology improvements.

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The County of Orange–Sheriff-Coroner Department, Orange County Crime Laboratory proposes to use the 2015 Justice Assistance Grant Program funding as follows:

PURPOSE AREAS

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

Law Enforcement

PROJECT NARRATIVE

Proposed program activities—

The Orange County Crime Laboratory services over 30 law enforcement agencies and is the only full service forensic laboratory providing service to the County of Orange as a whole. The laboratory handles more than 30,000 cases per year, conducting over 225,000 exams. The laboratory is requesting ten latent print comparison expert workstations and a new laptop computer for breath alcohol operator training.

The Latent Comparison Section conducted over 4,000 exams on over 1,350 cases in 2014. The latent print examiners spend their day sitting at workstations conducting meticulous and tedious evaluation of fingerprints. New sit-stand workstations are needed as the cumulative impact of prolonged sitting increases health risks. The risks range from physical ergonomically-related problems to metabolic, cardiovascular and cancer risks due to limited physical activity. Alternating between standing and sitting positions is a direct solution without losing productivity.

Need for programs—

The Forensic Alcohol unit oversees all evidential breath alcohol testing in the County, including all breath alcohol instrument operator training. The Crime Lab has trained more than 5,000 operators to date and in 2014 provided instrumentation for the evidential testing of over 7,000 subjects. The unit is requesting a new laptop computer to update the technology utilized in the operator training program. The technology currently in use is nearly ten years old.

The Crime Lab provides services to all law enforcement and has stakeholders that include the DMV, OCDA, OCPD, private defense and the Orange County Coroner Division. The laboratory has partnered with universities, public health coalitions and task forces, Social Services and Community Programs and their partners.

PROJECT GOALS

1. Improved workspace for the Latent Print Examiners can improve productivity and case throughput.
2. Improved technology for Breath Alcohol Operator Training assists with the training capabilities of the instructors.
3. More efficient case throughput enables more latent prints to be examined and used as investigative tools in criminal cases.

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4. Betterment of training allows for more operators available to provide roadside testing in DUI investigations.
5. The Crime Lab services every law enforcement agency in the County, improving the lab ensures the best forensic service to the public and overall public safety services.

PROJECT STRATEGIES

The equipment will be utilized to conduct casework and training for all law enforcement agencies in Orange County including the District Attorney's Office, California Highway Patrol and the Orange County Sheriff-Coroner, Coroner Division. The project is equipment purchase to better enable and improve workspace and technology for two sections of the Orange County Crime Lab.

PROJECT IDENTIFIERS

Crime Laboratory, Equipment – Forensic, System Improvements and Impaired Driving

BUDGET DETAIL AND NARRATIVE

JAG funds will be utilized to purchase: The latent print examiner workstations, 10 total, are expected to cost \$16,000. The laptop computer for breath alcohol operator training is expected to cost \$2,000; total project budget of \$18, 000. Anything in excess of this amount will be incurred by the County/Sheriff-Coroner Department.

Total: \$18,000

TIMELINE AND/OR PROJECT PLAN

Once the funds are received and made available by the County Board of Supervisors' approval process, the equipment requested will be purchased. All purchases must go through the required County purchasing process and may be subject to competitive public bid. The difference in the cost of the project and the JAG funds, if received, will be offset with Orange County Crime Laboratory Division funds. All purchases will be completed in FY 15-16.

FUNDING

Total Allocation: \$18,478

Administrative Fee (9%): \$1,663

Funds Retained by City/County: \$16,815

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City: Anaheim—Anaheim Police Department (APD)

The City of Anaheim proposes to use the 2015 Justice Assistance Grant Program funding as follows:

PURPOSE AREAS

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

Law enforcement programs - Overtime

PROJECT NARRATIVE

Proposed program activities—

The Anaheim Police Department (APD) is requesting to use JAG funds to support overtime expenses for sworn personnel in the following divisions: Operations, Operations Support, Investigations and Special Operations. Due to budget constraints, APD's overtime budget has been under-funded for a number of years.

Need for programs—

Although the police department has been actively recruiting and hiring new officers, staffing levels are still low. Therefore, utilizing overtime hours is necessary to provide adequate service levels. Overtime hours will be assigned to employees within the previously mentioned four divisions at the discretion of APD's command staff.

PROJECT GOALS

The goal for this project is to improve and enhance the community's safety, while working with a limited budget and reduced staffing levels. In order to accomplish this, overtime hours will be authorized at the discretion of the department's command staff.

PROJECT STRATEGIES

Overtime hours will be authorized for individual employees at the discretion of the command staff. A separate account code will be assigned specifically for this project. A copy of all overtime documents will be approved by the appropriate personnel prior to submission for reimbursement. A payroll report of all overtime hours and any other required documentation will be included in each reimbursement request submitted to the Orange County Sheriff's Department.

PROJECT IDENTIFIERS

Overtime

BUDGET DETAIL AND NARRATIVE

Overtime for the Department's personnel will range from \$45.00 to \$99.00 per hour, depending on the position and rank of each employee. Due to budget constraints, APD is

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currently unable to fully fund overtime expenses.

TIMELINE AND/OR PROJECT PLAN

The project goals and objectives will be implemented upon DOJ's approval of the JAG program funds and Anaheim's City Council approval to utilize the JAG funds for this project.

FUNDING

Total Allocation: \$90,913

Administrative Fee (9%): \$8,182

Funds Retained by City/County: \$82,731

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City: Costa Mesa

The City of Costa Mesa proposes to use the 2015 Justice Assistance Grant Program funding as follows:

PURPOSE AREAS

Planning, evaluation and technology improvement programs

PROJECT NARRATIVE

The Costa Mesa Police Department's proposed program activity is to maintain and further develop a recently implemented live streaming-video system, based out of the South Coast Plaza retail district. That project was funded with prior approved JAG funds.

The implemented system enables live video-capture, of any activity within South Coast Plaza's two-block area, to be streamed to designated police cars' mobile data terminal screens. This facilitates reduced response times and improved coordination to high risk and terrorist type incidents, e.g. active shooter, armed take-over jewelry store robberies, etc. The previously implemented live-video streaming system is linked to any of over 200 remote CCTV cameras located throughout South Coast Plaza's properties.

The South Coast Plaza retail district, located at 3333 Bristol Street and 3333 Bear Street, have been designated by the Department of Homeland Security (DHS) as the number 10 terrorist soft target among 600 designated terrorist targets throughout Orange County. A federal ACAMS (Automated Critical Asset Management Systems) assessment has been conducted at this site. With 25 million customers who frequent this location annually, SCP has been deemed by DHS as reasonably likely to experience a terrorist-type attack (active shooter, etc.).

PROJECT GOALS

The department's project goal is to fund required warranty and service to keep the live video streaming system operational. The live video streaming system's continued operation will enable its evaluation for further development. One such possible development, being considered, is to enable police officers working at the SCP police substation to be able to stream live video to responding police cars' MDT screens. Presently, the live video streaming system is operated by South Coast Plaza dispatch staff, who are able to assign any chosen camera (activity location) and stream live video to designated CMPD patrol car.

PROJECT STRATEGIES

To accomplish the department's 2015 JAG project goal, the agency will obtain quotes from vendors that can supply the identified service, technology and/or equipment needed.

PROJECT IDENTIFIERS

- 1) Electronic Monitoring, 2) System Improvement

BUDGET DETAIL AND NARRATIVE

Preliminary quotes have been obtained for the department's proposed program. The estimated cost includes:

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Annual service cost for continued live video streaming to 10 CMPD police vehicles (100 total viewer hours per month, over a 12-month period):

\$7,500 per year (x 2 years) = **\$15,000**

Annual hardware warranty for portable Ultra SD/HD system (i.e. interfacing hardware that enables capture and live video streaming to patrol car MOTs):

\$2,500 per year (x 2 years) = **\$5,000**

Total: **\$20,000**

Note: All costs in excess of allocated 2015 JAG funding will be funded by the City of Costa Mesa.

TIMELINE AND/OR PROJECT PLAN

The project objectives and goals will be instituted immediately upon approval of the Costa Mesa City Council and the department's ability to utilize the JAG allocation for expenditures

FUNDING:

Total Allocation: \$18,158

Administrative Fee (9%): \$1,634.22

Funds Retained by City/County: \$16,523.78

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City: Fullerton

The City of Fullerton proposes to use the 2015 Justice Assistance Grant Program funding as follows:

PURPOSE AREAS

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

Law enforcement programs.

PROJECT NARRATIVE

Proposed program activities -

Funding for the proposed JAG 2015 Cold Case Project will pay for 2 part-time Consultants/Detectives to continue to re-open, re-investigate and, where possible, solve cold cases of homicide through the use of technology not available at the time the crime was committed. The 2015 JAG grant will be used exclusively for the Cold Case Project noted above.

Program need -

Currently, the Fullerton Police Department has about 20 unsolved cases of murder on its books going back over 30 years. Clearly, the crime of murder calls for the greatest use of police resources to ensure justice for the victim, the victim's loved ones, and the murderer. However, through a lack of evidence and witnesses, and - especially with decades-old crimes- a lack of technology, some crimes of murder were seemingly impossible to solve.

Now, recent and rather astounding advances in both the collection and analysis of evidence make it possible to solve previously unsolvable cases. Nonetheless, these cold cases will still require many hours of old-fashioned detective work, and with reduced budgets and a Police Department already stretched to its limits preventing and solving present-day crimes, these cold cases do not receive the attention and resources they deserve. The

Department's ongoing Cold Case Project was initiated through JAG funding, and currently, our detectives are involved with two cold cases, one of which is coming close to being solved and prosecuted. The proposed JAG 2015 Cold Case Project would provide the needed manpower to continue these and other cases which are especially time- consuming and difficult to investigate due to the many years which may have transpired since the crime was committed.

PROJECT GOALS

The primary goal of the project is to reopen and reinvestigate cold cases of homicide and, where possible, solve and prosecute these cases.

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PROJECT STRATEGIES

With oversight from the Sergeant in charge of the Detective Unit, the Cold Case Project will utilize the expertise and experience of two retired police detectives acting as consultant/specialists to reopen, reinvestigate and, where possible, solve cold cases of murder. Having experienced officers earning a modest hourly rate of \$31.01 per hour means that the funding dollars will go much further than paying regular detectives. Both of these detectives will work an estimated 10 hours per week (520 hours each) for one year for a total of 1,040 man hours. The Fullerton Police Department will pay for any in-kind costs exceeding the JAG 2015 budget.

These detectives will review the Department's cold cases and give priority to those with DNA evidence which could now provide clues sufficient to bring a killer or killers to justice or at least bring closure to a case. Besides managing the newly-reopened cases and directing the processing of evidence, with the in-kind assistance of the CSI staff, these detectives will also conduct interviews and other research as necessary. When sufficient evidence is produced and a murder suspect is identified, these cold cases will, whenever possible, be brought to the District Attorney's Office for prosecution.

2014 JAG funds have enabled our Cold Case investigators to identify a suspect for a 1983 homicide, and this case is also being presented to the District Attorney's Office for review this week. The 2015 JAG grant will fund the work needed on two new cold cases from 2001 and 2004, one of which is an international case involving a Canadian victim.

PROJECT IDENTIFIERS

Cold Cases

BUDGET DETAIL AND NARRATIVE

All monies will be used to pay the \$31.01 per hour Personnel cost of the two Consultants/Detectives.

\$31.01/hr. x 2 detectives x 520 hrs.	\$32,250
Less In-Kind	6,915
TOTAL JAG 2015 COST	\$25,335

TIMELINE AND/OR PROJECT PLAN

Due to the complexities of a cold case, a specific timeline and guarantee of solving a cold case is not possible. However, it is projected that cold case detectives will reopen, thoroughly investigate and, where possible, solve and bring for prosecution one to two cold cases within one year.

FUNDING

Total Allocation: \$27,841

Administrative Fee (9%): \$2,506

Funds Retained by City/County: \$25,335

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City: Garden Grove

The City of Garden Grove proposes to use the 2015 Justice Assistance Grant Program funding as follows:

PURPOSE AREAS:

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

Law enforcement programs.

PROJECT NARRATIVE

The Police Department will use 2015 JAG funds to pay a portion of its jail services contract. The first contract was put into place in 2000, and has saved the Department tens of thousands of man-hours. What was previously at least a two-hour process for the arresting officer now takes only 15 minutes, allowing the officer to return to patrolling the streets. The jail services contract is an indispensable component of Department operations and is key to maximizing officer's time spent out in the community.

PROJECT GOALS

The Department's goal for utilizing a jail services contract is to create operational efficiencies and increase time patrol officer's time spent "on the streets." The time saved is equal to the productive hours of more than six patrol officers, and this time can be used to augment patrol operations.

PROJECT STRATEGIES

Contracting out jail services allows the Police Department to concentrate much more of its efforts on community safety rather than expending energy and resources on jail operations. Prior to the contract, officers would spend approximately two hours processing and transporting an arrestee. If the arrestee required medical clearance, that process could be extended by several hours. Now, sworn police officers complete preliminary paperwork on the arrestee and return to their field duties in as little as 15 minutes while the jailers complete the fingerprinting, photographing, transporting, etc. procedures. This increases the officer's availability to handle additional calls for services. In 2014, the jailers processed 5,619 arrestees, saving sworn officers approximately 11,238 hours that would have been spent processing arrestees.

PROJECT IDENTIFIERS

Community Policing; Detention (Non-residential). The Garden Grove Police Department implemented the Community Policing philosophy many years ago. Contracting out staffing of the detention facility facilitates that philosophy, by enabling patrol officers to return to their beat areas more quickly.

BUDGET DETAIL AND NARRATIVE

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The funds retained by the City will help to offset the annual cost of the jail services contract. For FY 2015-16 the monthly cost of the contract will be \$42,886 .The cost covers staffing, operating expenses, and management fees, as well as liability insurance maintained by the vendor. Personnel services provided under this contract guarantee 24/7/365 staffing of the jail at 9.625 FTE.

TIMELINE AND/OR PROJECT PLAN

The jail is a 24/7 operation and operates 365 days a year. The goals and objectives for the program are met on a continual basis, by allowing officers to return to their patrol duties quickly, thus enhancing the policing presence in the City.

FUNDING

Total Allocation: \$33,089

Administrative Fee (9%): \$2,978

Funds Retained by City/County: \$30,111

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City: Huntington Beach

The City of Huntington Beach Police Department proposes to use the 2015 Justice Assistance Grant Program funding as follows:

PURPOSE AREAS

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

Law enforcement and planning, evaluation, and technology improvement

PROJECT NARRATIVE

Proposed program activities—

The Huntington Beach Police Department proposes evaluating and implementing a body worn camera program during the life of this grant. We are currently developing policy for the program and will be testing three different vendors. Once the vendor is chosen, we will use the awarded grant funds for the purchase of the body worn cameras, docking stations, hardware and network infrastructure support to implement the program.

Program need—

Body worn cameras can help improve the high-quality public service expected of police officers and promote the perceived legitimacy and sense of procedural justice that communities have about their police departments. Furthermore, departments that are already deploying body-worn cameras tell us that the presence of cameras often improves the performance of officers as well as the conduct of the community members who are recorded. This is an important advance in policing.

PROJECT GOALS

Our goal would be to implement a body worn camera, using the technology and evidence it creates to further the mission of providing law enforcement services to our community and maintaining public trust.

PROJECT STRATEGIES

After careful evaluation of different vendors; developing policy and community support, our strategy will be to equip every uniformed police officer of the department with a body worn camera, as part of a department wide body worn camera program.

PROJECT IDENTIFIERS

Body Worn Cameras

BUDGET DETAIL AND NARRATIVE

The purchase will be used for body worn camera equipment only. The cameras cost between \$600 and \$800 each depending on which vendor we choose. We will be equipping approximately 150 uniformed officers at a cost of \$90,000 - \$120,000. We will use the awarded

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grant funds to partially pay for the equipment cost. The remaining cost will come from other funds within our agency budget.

TIMELINE AND/OR PROJECT PLAN

The body worn camera project should be completed and implemented by March 31, 2016.

FUNDING

Total Allocation: \$26,633

Administrative Fee (9%): \$2,397

Funds Retained by City/County: \$24,236

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City: La Habra

The City of La Habra proposes to use the 2015 Justice Assistance Grant Program funding as follows:

PURPOSE AREAS

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

Law enforcement- Overtime

PROJECT NARRATIVE

Proposed program activities—

The La Habra Police Department currently employs a policing concept called “Crime Reduction Strategy” (CRS) which is similar to the data-driven police accountability model known as “COMPSTAT”. CRS is a management process, within a performance management framework, that synthesizes analysis of crime and disorder data, strategic problem solving, and a clear accountability structure. CRS facilitates accurate and timely analysis of crime and disorder data, which is used to identify crime patterns and problems. Based on this analysis, tailored responses or “strategies” are implemented through rapid deployment of personnel and resources. An accountability structure is key to ensuring the analysis is acted upon and the responses are implemented correctly as well as assessing whether the responses are effective in reducing crime and disorder.

Program need—

The La Habra Police Department proposes to use the 2015 JAG funds to cover overtime expenditures caused by rapid and ongoing deployment of personnel from our bicycle patrol unit to our identified crime districts. Current bicycle patrol deployments are very limited and only occur when sufficient staffing exists to cover shifts. The bicycle patrol unit will work to significantly impact identified crime trends in our districts, as well as addressing quality of life issues reported by community residents.

PROJECT GOALS

The goal of this project is to overtime fund bike patrol teams in identified crime districts, as well as respond to community concerns of specific quality of life issues.

PROJECT STRATEGIES

The entire JAG grant allocation for the City of La Habra (\$10,742) will be spent on funding bicycle patrols and response to community concerns regarding quality of life matters.

PROJECT IDENTIFIERS

Community Policing

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Crime Prevention

BUDGET DETAIL AND NARRATIVE

Outline how JAG funds will be used to support and implement the program –Include a **breakdown of costs** as well as an overview of how funds will be allocated across approved JAG purpose areas (i.e. Personnel, Training/Travel, Equipment, Supplies, Consultants/Contracts, and Other category) –

The deployment plan will consist of approximately (148) hours of overtime to staff the bike patrol assignments to address specified crime districts and community quality of life concerns. This is based upon an average overtime rate (non-benefited) of \$66.20 per hour.

TIMELINE AND/OR PROJECT PLAN

Identify when the goals and objectives will be completed.

This project involves developing a simple deployment plan, based upon crime analysis of our crime districts, and it is anticipated to be completed within 120 days of grant approval.

FUNDING

Total Allocation: \$10,742

Administrative Fee (9%): \$966.78

Funds Retained by City/County: \$9,775.22

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City: Orange

The City of Orange proposes to use the 2015 Justice Assistance Grant Program funding as follows:

PURPOSE AREAS

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

The purpose area for use of funds is Law Enforcement.

PROJECT NARRATIVE

Proposed project activities—

During 2014, Orange Police Department investigated thousands of crimes, a majority of which directly or indirectly involved a cellular phone. The investigations discovered the suspects/victims use and/or possession of cellular phones during the commission of crimes or when being victimized. Cellular phones contain minute by minute digital evidence of a suspect and/or victim's location and communication before, during and after the commission of a crime. The timely retrieval of this evidence in some cases may be lifesaving and be the only link that helps detectives solve the crime or locate the victim.

By obtaining sophisticated cellular phone forensic extraction hardware / software, the Orange Police Department will be able to investigate technologically complex investigations. In addition, cellular phones are frequently used by suspects to store evidence of criminal activity or victimization. This equipment will also assist in the prosecution of suspects using evidence that simply could not be obtained by traditional methods.

Program need—

Due to the prevalence of cellular phones in our society, the Orange Police Department needs to obtain sophisticated cellular phone forensic extraction hardware / software in order to improve investigative effectiveness as technological advances increase. There have been times that physical evidence is complimented and strengthened by digital evidence. On occasion, digital evidence is all that exists to provide investigative leads and evidence in solving crimes.

PROJECT GOALS

To obtain sophisticated cellular phone forensic extraction hardware / software to view, analyze and retain digital evidence on cellular phones. In many cases, information provided by the cellular phone providers is incomplete as much of the user's data is stored locally on each phone. This hardware, coupled with the analysis software, will enable investigators to conduct cellular phone forensic examinations on all of types of cellular phones.

PROJECT STRATEGIES

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The cellular phone forensic extraction equipment will be used by the Orange Police Department as an investigative tool to obtain digital evidence stored on cellular phones.

PROJECT IDENTIFIERS

Computer software/hardware
Evidence-Based
Equipment--Forensic

BUDGET DETAIL AND NARRATIVE

JAG funds will be used to purchase a Universal Forensic Extraction Device (UFED) for cellular equipment:

• CELLEBRITE UFED TOUCH ULTIMATE UFED TOUCH ULTIMATE (Logical & Physical Mobile Forensic Solution)	\$10,499
• UFED Camera attachment for UFED TOUCH	\$298
• 1 Year UFED Software Renewal	\$ 3,099
	Sub Total \$13,896
	Sales tax \$1,112
	Grand Total \$15,008

TIMELINE AND/OR PROJECT PLAN

Once the funds are received and made available through the City's normal approval process, it is anticipated that product ordering, delivery, and setup would be complete within two weeks. Use of the device would begin immediately. Additional funding will be from other City of Orange funding sources.

FUNDING

Total Allocation: \$10,816
Administrative Fee (9%): \$973
Funds Retained by City/County: \$9,843

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City: Santa Ana

The City of Santa Ana proposes to use the 2015 Justice Assistance Grant Program funding as follows:

PURPOSE AREAS

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

Law Enforcement

PROJECT NARRATIVE

Proposed program activities-

Through the use of grant funding, the City of Santa Ana Proposes a three pronged approach to reducing criminal activity.

Funding will allow:

1.) Augmentation of our gang enforcement, as well as, advanced gang investigative training for gang suppression detectives. Funding will provide for gang enforcement activity with suppression details working overtime to target specific enforcement of gang members involved in violent behavior. The department currently lacks the manpower and fiscal resources to address this problem, these officers will be deployed directly into the neighborhoods being most negatively affected by gang activity and will be funded for the three-year grant period. Additionally, funding will be utilized to provide gang suppression personnel with advanced training to ensure gang related offenses are successfully prosecuted.

2.) Enhancement of Educational Opportunities. The Santa Ana Police Department believes Community Oriented Policing (COP) has been and must remain at the core of crime reduction. A major component of COP is educational opportunities offered to residents. With funding severely cut, educational programs and staffing that provided this valuable resource have been reduced. Officers as well as non-sworn staff will offer COP related training programs on an overtime basis to complete this goal. Funding will cover the entire grant performance period.

3.) Enhancement of Community Policing. Funding will provide for community policing enforcement operations with suppression details working overtime to address crimes of public disorder specifically tied to community complaints. The department currently utilizes a robust community complaint tracking system to ensure responsiveness to resident concerns. Funding will cover the entire grant performance period.

This funding will equate to approximately 1,247 hours of additional law enforcement resources within our community.

The Department will utilize the funds for personnel overtime and advanced gang investigative training, as needed. The remainder of the funds will be utilized to offer educational opportunities

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for neighborhood associations, community gatherings and residents ranging from children to adults.

Program need –

The Santa Ana criminal street gang population of approximately 6,900 accounts for the less than two percent of the City's population however; this criminal element constitutes a significant impact on fear in the community and threatens the safety and stability of our neighborhoods. The Department routinely receives between 20 and 30 specific community complaints per week which directly impact the quality of life for our residents. Enforcement related activities will be coupled with an educational component, which will enhance public understanding, trust and confidence.

PROJECT GOALS

The goal of this project is to reduce criminal activity and increase public safety through enhanced enforcement and educational efforts.

PROJECT STRATEGIES

The use of selective enforcement overtime, response to community complaints, coupled with crime analysis data allows resources to be specifically deployed in areas of increased criminal activity during time frames found to be most beneficial to project goals:

1. Contact gang members and individuals involved in crimes of public disorder to gain intelligence, investigative information and ensure problem solving for prosecutorial purposes while striving to resolve longstanding community concerns.
2. Increase the number of arrests and successful prosecution of gang members.
3. Increase the number of community complaints resolved.
4. Reduce the fear gang members evoke in the community and decrease community concerns through high visibility police presence and enforcement activities.
5. Offer enhanced educational opportunities through schools, community associations and neighborhood watch groups.

PROJECT IDENTIFIERS

See 2015 JAG Identifiers (attached) Gangs; Education; Community Policing; Violence Violent Crime Offenders

BUDGET DETAIL AND NARRATIVE

Outline how JAG funds will be used to support and implement the program –

Include a **breakdown of costs** as well as an overview of how funds will be allocated across approved JAG purpose areas (i.e. Personnel, Training/Travel, Equipment, Supplies, Consultants/Contracts, and an Other category) –

Funds will be utilized for personnel overtime and advance gang investigative training with associated travel, as needed. No funds are allocated for supplies, consultants or contracts.

Overtime: \$76,032.00

1,056 hours @ \$72.00 per hour

Training/Travel: \$8,448.00

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TIMELINE AND/OR PROJECT PLAN

Identify when the goals and objectives will be completed.

Months 1-36: Gang Enforcement and Community Complaint enforcement continues throughout the life of the grant.

Months 1-36: Educational endeavors and advanced gang investigative training continue throughout the life of the grant.

FUNDING

Total Allocation: \$92,835

Administrative Fee (9%): \$8,355

Funds Retained by City/County: \$84,480

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City: Westminster

The City of Westminster proposes to use the 2015 Justice Assistance Grant Program funding as follows:

PURPOSE AREAS

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

Law enforcement programs.

PROJECT NARRATIVE

Proposed program activities—

The grant funds are intended to cover overtime costs in the Detectives unit. The goal of the project is to reduce the backlog of cases in the Detectives division and to gather additional evidence on active cases.

Program need—

The Westminster Police Department is fiscally constrained from deploying the necessary investigative assets needed to successfully address these surges in criminal activity. Stated conversely: additional funding can provide for the appropriate surveillance and follow-up investigative resources needed to investigate individual crimes and to interrupt criminal patterns.

PROJECT GOALS

Reduce backlog of cases in the Detectives division and gather additional evidence on active cases.

PROJECT STRATEGIES

Experience has demonstrated that early and aggressive investigative activities are critical to bringing emergent neighborhood-focused criminal activity under control before it escalates to far more serious levels. This request for JAG funding is to enhance and supplement (not replace) the investigative activities of the Westminster Police Department when unusual/high incident crime situations arise. The JAG funding will underwrite the costs of necessary overtime to conduct investigations. The timing and nature of additional resources deployed through the JAG funds will correspond directly to the characteristics of emergent criminal activity in the community and the means to best remedy those problems. As such, additional deployment through JAG funding is likely to include:

- Additional surveillance activities
- Additional participation in coordinated multi-jurisdictional investigations
- Additional neighborhood-based special operations
- More intensive follow-up

Attachment 1

Attachment A

2015-DJ-BX-0226

PROJECT IDENTIFIERS

Overtime
Crime Prevention
Surveillance

BUDGET DETAIL AND NARRATIVE

Personnel

1 Detective (Police Officer) at an overtime rate of \$53.00 per hour will be assigned, as necessary, for additional investigative duties on behalf of areas experiencing enhanced criminal activity.

Deployment shifts (hours) will depend upon the nature of the investigative/surveillance assignment.

$\$53.00 \times 344 \text{ investigative hours} = \$18,232$

Overtime rate will be used for actual additional investigative duties. The Westminster Police Department will contribute supervision and other support to this initiative at its own expense.

TOTAL BUDGET= \$18,273

TIMELINE AND/OR PROJECT PLAN

During the grant period it is anticipated that the backlog of cases in the Detectives unit would be reduced.

FUNDING

Total Allocation: \$20,080
Administrative Fee (9%): \$1,807
Funds Retained by City/County: \$18,273



Department of Justice
Office of Justice Programs

Bureau of Justice Assistance

Office of Justice Programs

Washington, D.C. 20531

August 13, 2015

Chairman Todd Spitzer
County of Orange
10 Civic Center Plaza
Santa Ana, CA 92701

Dear Chairman Spitzer:

On behalf of Attorney General Loretta Lynch, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 15 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation in the amount of \$365,772 for County of Orange.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Gale Farquhar, Program Manager at (202) 598-9522; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Denise O'Donnell".

Denise O'Donnell
Director

Enclosures

Attachment 2



OFFICE FOR CIVIL RIGHTS

Office of Justice Programs

Department of Justice

810 7th Street, NW
Washington, DC 20531

Tel: (202) 307-0690

TTY: (202) 307-2027

E-mail: askOCR@usdoj.gov

Website: www.ojp.usdoj.gov/ocr

August 13, 2015

Chairman Todd Spitzer
County of Orange
10 Civic Center Plaza
Santa Ana, CA 92701

Dear Chairman Spitzer:

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 (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at <http://ojp.gov/about/ocr/vawafaqs.htm>.

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 prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the 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 opportunity standards.

Attachment 2

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ 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). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website <http://www.lep.gov>.

Ensuring Equal Treatment for Faith-Based Organizations

The DOJ regulation, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards 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 DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ 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 the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Using Arrest and Conviction Records in Making Employment Decisions

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOs) (see below).

Complying with the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEO (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), 205(c)(5)).

Attachment 2

Meeting the EEOP Requirement

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report 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 the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOSubmission@usdoj.gov.

Meeting the Requirement to Submit Findings of Discrimination

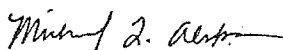
If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

Ensuring the Compliance of Subrecipients

SAAAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAAAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see http://www.ojp.usdoj.gov/funding/other_requirements.htm.

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,



Michael L. Alston
Director

cc: Grant Manager
Financial Analyst

Attachment 2



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Incorporates NEPA Compliance in Further Developmental Stages for County of Orange

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

- a. New construction;
- b. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- 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;
- 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; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see <http://www.ojp.usdoj.gov/BJA/resource/nepa.html>.

Please be sure to carefully review the grant conditions on your award document, as it may contain more specific information about environmental compliance.

Attachment 2



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY

Grant

PROJECT NUMBER

2015-DJ-BX-0226

PAGE 1 OF 1

This project is supported under FY15(BJA - JAG) 42 USC 3750, et seq.

1. STAFF CONTACT (Name & telephone number)

Gale Farquhar
(202) 598-9522

2. PROJECT DIRECTOR (Name, address & telephone number)

Nancy Nguyen
Grants Manager
Research and Development
431 The City Drive South
Orange, CA 92868-3303
(714) 935-6869

3a. TITLE OF THE PROGRAM

BJA FY 15 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation

3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)

4. TITLE OF PROJECT

FY 15 JAG Program

5. NAME & ADDRESS OF GRANTEE

County of Orange
10 Civic Center Plaza
Santa Ana, CA 92701

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2014 TO: 09/30/2018

8. BUDGET PERIOD

FROM: 10/01/2014 TO: 09/30/2018

9. AMOUNT OF AWARD

\$ 365,772

10. DATE OF AWARD

08/13/2015

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following program areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation).

The Orange County Sheriff Coroner Department will serve as the fiscal agent for the FY 15 JAG Grant and funds will be utilized to support a broad range of activities to prevent and control crime in Orange County, California. NCA/NCF

Attachment 2



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Grant

PAGE 1 OF 10

1. RECIPIENT NAME AND ADDRESS (Including Zip Code)

County of Orange
10 Civic Center Plaza
Santa Ana, CA 92701

4. AWARD NUMBER: 2015-DJ-BX-0226

5. PROJECT PERIOD: FROM 10/01/2014 TO 09/30/2018

BUDGET PERIOD: FROM 10/01/2014 TO 09/30/2018

6. AWARD DATE 08/13/2015

7. ACTION

8. SUPPLEMENT NUMBER 00 Initial

9. PREVIOUS AWARD AMOUNT \$0

10. AMOUNT OF THIS AWARD \$365,772

11. TOTAL AWARD \$365,772

2a. GRANTEE IRS/VENDOR NO.

950009281

2b. GRANTEE DUNS NO.

111950874

3. PROJECT TITLE

FY 15 JAG Program

12. SPECIAL CONDITIONS

THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).

13. STATUTORY AUTHORITY FOR GRANT

This project is supported under FY15(BJA - JAG) 42 USC 3750, et seq.

14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number)

16.738 - EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

15. METHOD OF PAYMENT

GPRS

AGENCY APPROVAL

GRANTEE ACCEPTANCE

16. TYPED NAME AND TITLE OF APPROVING OFFICIAL

Denise O'Donnell
Director

18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL

Todd Spitzer
Board of Supervisors Chair

17. SIGNATURE OF APPROVING OFFICIAL

19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

19A. DATE

9-22-15

AGENCY USE ONLY

20. ACCOUNTING CLASSIFICATION CODES

FISCAL YEAR	FUND CODE	BLD. ACT.	DIV. OFC.	REG.	SUB.	POMS	AMOUNT
X	B	DJ	80	00	00		365772

21. PDJLGT0183

OJP FORM 4000.2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE

OJP FORM 4000.2 (REV. 4-88)

APPROVED AS TO FORM
OFFICE OF THE COUNTY COUNSEL
ORANGE COUNTY, CALIFORNIA

By: *[Signature]*
Deputy
Date: 8/28/15

Attachment 2



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION SHEET Grant

PAGE 2 OF 10

PROJECT NUMBER 2015-DJ-BX-0226

AWARD DATE 08/13/2015

SPECIAL CONDITIONS

1. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements") apply to this 2015 award from the Office of Justice Programs (OJP). For this 2015 award, the Part 200 Uniform Requirements, which were first adopted by DOJ on December 26, 2014, supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

If this 2015 award supplements funds previously awarded by OJP under the same award number, the Part 200 Uniform Requirements apply with respect to all award funds (whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2015 award.

Potential availability of grace period for procurement standards: Under the Part 200 Uniform Requirements, a time-limited grace period may be available under certain circumstances to allow for transition from policies and procedures that complied with previous standards for procurements under federal awards to policies and procedures that comply with the new standards (that is, to those at 2 C.F.R. 200.317 through 200.326).

For more information on the Part 200 Uniform Requirements, including information regarding the potentially-available grace period described above, see the Office of Justice Programs (OJP) website at <http://ojp.gov/funding/Part200UniformRequirements.htm>.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

2. The recipient agrees to comply with the Department of Justice Grants Financial Guide as posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide").
3. 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 the Standard Assurances executed by the recipient, and may result in suspension of funding until such time as the recipient is in compliance, or termination of the award.
4. The recipient understands and agrees that OJP may withhold award funds, or may impose other related requirements, if the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.
5. 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.
6. The recipient and any subrecipients must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has -- (1) submitted a claim for award funds that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving award funds. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by - mail: Office of the Inspector General U.S. Department of Justice Investigations Division 950 Pennsylvania Avenue, N.W. Room 4706 Washington, DC 20530 e-mail: oig.hotline@usdoj.gov hotline: (contact information in English and Spanish): (800) 869-4499 or hotline fax: (202) 616-9881 Additional information is available from the DOJ OIG website at www.usdoj.gov/oig

FLS

Attachment 2



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION SHEET Grant

PAGE 3 OF 10

PROJECT NUMBER 2015-DJ-BX-0226

AWARD DATE 08/13/2015

SPECIAL CONDITIONS

7. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient --

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized to make subawards or contracts under this award --

a. it represents that --

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

8. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.

9. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.

RS

Attachment 2



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION SHEET Grant

PAGE 4 OF 10

PROJECT NUMBER 2015-DJ-BX-0226

AWARD DATE 08/13/2015

SPECIAL CONDITIONS

10. The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OJP). The recipient also agrees to comply with applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/sam.htm> (Award condition: Registration with the System for Award Management and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
11. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
12. The recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").
13. The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm>.
14. The recipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this OJP award, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this OJP award, the recipient will promptly notify, in writing, the grant manager for this OJP award, and, if so requested by OJP, seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.
15. The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.
16. The recipient understands and agrees that - (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
17. A recipient that is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC).
18. The recipient must collect, maintain, and provide to OJP, data that measure the performance and effectiveness of activities under this award, in the manner, and within the timeframes, specified in the program solicitation, or as otherwise specified by OJP. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

RS

Attachment 2



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

AWARD CONTINUATION SHEET Grant

PAGE 5 OF 10

PROJECT NUMBER 2015-DJ-BX-0226

AWARD DATE 08/13/2015

SPECIAL CONDITIONS

19. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).
20. The recipient agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/ffata.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
21. Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.
22. The recipient understands and agrees that it has a responsibility to monitor its subrecipients' compliance with applicable federal civil rights laws. The recipient agrees to submit written Methods of Administration (MOA) for ensuring subrecipients' compliance to the OJP's Office for Civil Rights at CivilRightsMOA@usdoj.gov within 90 days of receiving the grant award, and to make supporting documentation available for review upon request by OJP or any other authorized persons. The required elements of the MOA are set forth at http://www.ojp.usdoj.gov/funding/other_requirements.htm, under the heading, "Civil Rights Compliance Specific to State Administering Agencies."
23. In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: http://www.it.ojp.gov/gsp_grantcondition. Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.
24. 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 jurisdictions, 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.

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25. 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 the regulation. 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.
26. 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. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.
27. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.
28. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
29. Award recipients must verify Point of Contact(POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.
30. The grantee agrees that within 120 days of award acceptance, each current member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. Additionally, all future task force members are required to complete this training once during the life of this award, or once every four years if multiple awards include this requirement. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership (www.ctfli.org). This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. When BJA funding supports a task force, a task force personnel roster should be compiled and maintained, along with course completion certificates, by the grant recipient. Additional information is available regarding this required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).
31. The recipient agrees to participate in BJA-sponsored training events, technical assistance events, or conferences held by BJA or its designees, upon BJA's request.

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32. All procurement (contract) transactions under this award must be conducted in a manner that is consistent with applicable Federal and State law, and with Federal procurement standards specified in regulations governing Federal awards to non-Federal entities. Procurement (contract) transactions should be competitively awarded unless circumstances preclude competition. Noncompetitive (e.g., sole source) procurements by the award recipient in excess of the Simplified Acquisition Threshold (currently \$150,000) set out in the Federal Acquisition Regulation must receive prior approval from the awarding agency, and must otherwise comply with rules governing such procurements found in the current edition of the OJP Financial Guide.
33. Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.
34. Award recipients must submit quarterly a Federal Financial Report (SF-425) and annual performance reports through GMS (<https://grants.ojp.usdoj.gov>). Consistent with the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Therefore, quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) website (www.bjaperformancetools.org). For more detailed information on reporting and other JAG requirements, refer to the JAG reporting requirements webpage. Failure to submit required JAG reports by established deadlines may result in the freezing of grant funds and future High Risk designation.
35. The recipient agrees that funds received under this award will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.
36. The recipient agrees to monitor subawards under this JAG award in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide, and to include the applicable conditions of this award in any subaward. The recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of JAG funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.
37. The recipient agrees to submit a signed certification that that all law enforcement agencies receiving vests purchased with JAG funds have a written "mandatory wear" policy in effect. Fiscal agents and state agencies must keep signed certifications on file for any subrecipients planning to utilize JAG funds for ballistic-resistant and stab-resistant body armor purchases. This policy must be in place for at least all uniformed officers before any JAG funding can be used by the agency for body armor. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty.
38. Ballistic-resistant and stab-resistant body armor purchased with JAG funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the vests have been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and are listed on the NIJ Compliant Body Armor Model List (<http://nij.gov>). In addition, ballistic-resistant and stab-resistant body armor purchased must be American-made. The latest NIJ standard information can be found here: <http://www.nij.gov/topics/technology/body-armor/safety-initiative.htm>.
39. JAG funds may be used to purchase vests for an agency, but they may not be used as the 50% match for purposes of the Bulletproof Vest Partnership (BVP) program.

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40. The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate the grant funds in the trust fund (including any interest earned) during the period of the grant and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to the Office of Justice Programs at the time of closeout.
41. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, 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, the grantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the grantee agrees to contact BJA.

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 located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- 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;
- 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; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The grantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <http://www.ojp.usdoj.gov/BJA/resource/nepa.html>, for programs relating to methamphetamine laboratory operations.

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.

42. BJA strongly encourages the recipient to submit annual (or more frequent) JAG success stories. To submit a success story, sign in to your My BJA account at <https://www.bja.gov/Login.aspx> to access the Success Story Submission form. If you do not yet have a My BJA account, please register at <https://www.bja.gov/profile.aspx>. Once you register, one of the available areas on your My BJA page will be "My Success Stories". Within this box, you will see an option to add a Success Story. Once reviewed and approved by BJA, all success stories will appear on the new BJA Success Story web page at <https://www.bja.gov/SuccessStoryList.aspx>.
43. Recipient understands and agrees that award funds may not be used for items that are listed on the Prohibited Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time. The Prohibited Expenditure list may be accessed here: <https://www.bja.gov/funding/JAGControlledPurchaseList.pdf>.

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44. Recipient understands and agrees that award funds may not be used for items that are listed on the Controlled Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time, without explicit written prior approval from BJA. The Controlled Expenditure List, and instructions on how to request approval for purchase or acquisitions may be accessed here: <https://www.bja.gov/funding/JAGControlledPurchaseList.pdf>
 45. Recipient understands and agrees that the purchase or acquisition of any item on the Controlled Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time, with award funds by an agency will trigger a requirement that the agency collect and retain (for at least 3 years) certain information about the use of 1) any federally-acquired Controlled Equipment in the agency's inventory, and 2) any other controlled equipment in the same category as the federally-acquired controlled equipment in the agency's inventory, regardless of source; and make that information available to BJA upon request. Details about what information must be collected and retained may be accessed here: https://www.whitehouse.gov/sites/default/files/docs/le_equipment_wg_final_report_final.pdf
 46. Recipient understands and agrees that, notwithstanding 2 CFR § 200.313, no equipment listed on the Controlled Expenditure List that is purchased under this award may be transferred or sold to a third party, except as described below:
 - a. Agencies may transfer or sell any controlled equipment, except riot helmets and riot shields, to a Law Enforcement Agency (LEA) after obtaining prior written approval from BJA. As a condition of that approval, the acquiring LEA will be required to submit information and certifications to BJA as if it was requesting approval to use award fund for the initial purchase of items on the Controlled Expenditure List.
 - b. Agencies may not transfer or sell any riot helmets or riot shields purchased under this award.
 - c. Agencies may not transfer or sell any Controlled Equipment purchased under this award to non-LEAs, with the exception of fixed wing aircraft, rotary wing aircraft, and command and control vehicles. Before any such transfer or sale is finalized, the agency must obtain prior written approval from BJA. All law enforcement-related and other sensitive or potentially dangerous components, and all law enforcement insignias and identifying markings must be removed prior to transfer or sale.
- Recipient further understands and agrees to notify BJA prior to the disposal of any items on the Controlled Expenditure List purchased under this award, and to abide by any applicable laws and regulations in such disposal.
47. Recipient understands and agrees that failure to comply with conditions related to Prohibited or Controlled Expenditures may result in a prohibition from further Controlled Expenditure approval under this or other federal awards.
 48. Recipient may not expend or drawdown funds until the Bureau of Justice Assistance (BJA) has received documentation demonstrating that the state or local governing body review and public comment requirements have been met and a Grant Adjustment Notice (GAN) has been approved releasing this special condition.
 49. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

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Attachment 2



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50. Recipient may not expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has received and approved the signed Memorandum of Understanding (MOU) between the disparate jurisdictions and has issued a Grant Adjustment Notice (GAN) releasing this special condition.
51. Recipient may not expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has reviewed and approved the Abstract portion of the application and has issued a Grant Adjustment Notice (GAN) informing the recipient of the approval.
52. Recipient may not expend, or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has reviewed and approved the Budget Narrative portion of the application and has issued a Grant Adjustment Notice (GAN) informing the recipient of the approval.
53. Recipient may not expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has reviewed and approved the Program Narrative portion of the application and has issued a Grant Adjustment Notice (GAN) informing the recipient of the approval.

RS

Attachment 3

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**AGREEMENT TO TRANSFER FUNDS
FOR 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)
PROGRAM DJ-BX-0226**

THIS AGREEMENT is entered into this 22nd day of September 2015, 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 the City of _____, a municipal corporation.

WHEREAS, COUNTY, acting through its Sheriff-Coroner Department, hereinafter referred to as **SHERIFF**, in its capacity as the lead agency on behalf of 10 (ten) units of local government, including SHERIFF and the cities of Anaheim, Costa Mesa, Fullerton, Garden Grove, Huntington Beach, La Habra, Orange, Santa Ana and Westminster; hereafter referred to as "**SUBGRANTEES**".

As required by the jurisdictional application, the SHERIFF has applied for, received and accepted the Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice, Office of Justice Programs, and Bureau of Justice Assistance (hereinafter referred to as "JAG").

WHEREAS, the purpose of the grant is to supplement the resources available to prevent and control crime within the County of Orange that are operated by individual agencies included in the above-referenced 10 units of local government, as set forth in Attachment A "Program Narrative", 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 grant purposes, which may include local initiatives, technical assistance, strategic planning, research & evaluation, data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and information systems for law enforcement, as more particularly described in Attachment A hereto.

Attachment 3

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

2 1. COUNTY shall transfer to SUBGRANTEE grant funds, in arrears, as necessary to
3 reimburse SUBGRANTEE for reasonable and permissible expenditures for the grant purposes.

4 In order to obtain grant funds, SUBGRANTEE shall comply with the instructions
5 and submit to SHERIFF all required information and documentation, as set forth in Attachment
6 B hereto ("How to Apply for JAG Grant Reimbursements"), which is attached hereto and
7 incorporated herein by reference. In no event will the total amount of the grant funds transferred
8 by COUNTY to SUBGRANTEE hereunder exceed SUBGRANTEE's allocation, as set forth in
9 Attachment C ("JAG Program Allocation"), which is attached hereto and incorporated herein by
10 reference.

11 2. SUBGRANTEE shall be reimbursed with said JAG funds only for expenditures
12 necessary to acquire personal property or equipment as set forth in Attachment A hereto
13 [hereinafter called "grant property and equipment"] or to perform such other grant functions, if
14 any, for which Attachment A specifies that SUBGRANTEE may utilize grant funds.

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

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

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

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

Attachment 3

1 7. SUBGRANTEE shall comply with all applicable terms of the certification(s) that
2 are attached hereto as Attachment E ("2015 Grant Award & Special Conditions") and
3 incorporated herein by reference.

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

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

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

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

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

Attachment 3

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

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

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

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

23 //

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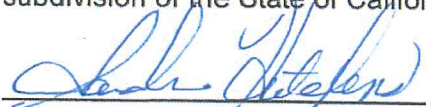
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Attachment 3

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

3
4 DATED: 9/22, 2015

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

5
6 By 

7 Sandra Hutchens, Sheriff-Coroner
8 Sheriff-Coroner Department
"COUNTY"

9 APPROVED AS TO FORM:

10 COUNTY COUNSEL

11 By 
12 Deputy

13 DATED: 8/28, 2015

14
15 SUBGRANTEE

16
17 By _____
Name and Title

18
19 _____
City

20
21 ATTEST:

DATED: _____, 2015

22 By _____
23 City Clerk

24 DATED: _____, 2015