



FILED
OFFICE OF THE CITY CLERK
OAKLAND

AGENDA REPORT

2016 OCT 23 PM 2:40

TO: Sabrina B. Landreth
City Administrator

FROM: David Downing
Assistant Chief of Police

SUBJECT: Appropriate FY16-17 Local Justice
Assistance Grant (JAG) Funds

DATE: September 16, 2016

City Administrator Approval

Date:

10/13/16

RECOMMENDATION

Staff Recommends That City Council Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate The Fiscal Year 2016 U.S. Department Of Justice (DOJ) Edward Byrne Memorial Justice Assistance Grant (JAG) Funds In An Amount Not To Exceed Six Hundred And Nine Thousand, Seven Hundred Eighty Dollars (\$609,780) For October 1, 2015 Through September 30, 2019.

EXECUTIVE SUMMARY

The Oakland Police Department (OPD) is the designated recipient of \$609,780 in grant funds from the Fiscal Year (FY) 2016 DOJ JAG program. These funds will be distributed to OPD for the funding period of October 1, 2015 through September 30, 2019. OPD will use this funding to: 1) purchase 230 new conducted electrical weapons (CEW, currently supplied by Taser International); 2) pay for various OPD training needs; and 3) purchase new Special Weapons and Tactics (SWAT) uniforms.

BACKGROUND / LEGISLATIVE HISTORY

The JAG program, funded by the DOJ, is designed to further its mission of preventing or reducing crime and violence, by funding state, local, and tribal government law enforcement efforts. The program is divided into two allocations, a state allocation and a local allocation. The State of California has flexibility in how state funds are distributed, but must distribute the local allocation to eligible units of local government in predetermined amounts. Each county is required to apply as a consortium. Alameda County qualifies for a local allocation of \$876,345 in local funds, which may only be used to fund local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, criminal justice-related information systems, and research and evaluation activities. Each expenditure must be connected to improvements or enhancements of law enforcement programs related to criminal justice. The local awards cover a four-year funding span and an initial lump sum distribution which may be deposited into an interest bearing account. There is no matching fund requirement.

The local program provides law enforcement agencies with the flexibility to prioritize and place funds where they are needed the most. OPD's JAG program grant award proposed spending

Item: ~~X~~
Public Safety Committee
October 25, 2016

plan has been submitted and approved by the Alameda County Sheriff's Office (ACSO); ACSO is the prime grantee for the JAG local funds for the region.

As part of the Consolidated Appropriations Act of 2005, the 108th Congress merged the discretionary Edward Byrne Memorial Grant Program with the formula-based Local Law Enforcement Block Grant (LLEBG) program to establish the JAG program. The Bureau of Justice Assistance (BJA) administers the JAG program, and the Bureau of Justice Statistics (BJS) calculates the JAG formula-based award amounts using specifications outlined in the legislation.

In order to determine local awards, BJS determines which jurisdictions should be included in the calculation of the three-year violent crime averages on which local awards are based. These crime averages are computed using data published by the FBI's Uniform Crime Reporting (UCR) Program. To be eligible to receive JAG funds, a jurisdiction must have provided to the UCR a count of the number of violent crimes known to law enforcement each year for a minimum of three years in the last ten years. BJA has developed joint application groups, consolidating certain cities and counties for the JAG program. Alameda County is part of a joint application group with the cities of Alameda, Berkeley, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, San Leandro and Union City.

The City Council previously authorized acceptance of similar grant funds by Resolution No. 85870 C.M.S. dated October 15, 2015 Resolution No. 85530 C.M.S. dated March 31, 2015, Resolution No. 84641 C.M.S. dated September 12, 2013, Resolution No. 84338 C.M.S. dated May 7, 2013, Resolution No. 83625 C.M.S. dated October 27, 2011, Resolution No. 82934 C.M.S. dated July 20, 2010, Resolution No. 81975 C.M.S. dated May 5, 2009, Resolution No. 81581 C.M.S. dated October 7, 2008, Resolution No. 80873 C.M.S. dated October 2, 2007, Resolution No. 80128 C.M.S. dated September 19, 2006, Resolution No. 79764 C.M.S. dated March 7, 2006, and Resolution No. 79378 C.M.S. dated July 19, 2005.

ANALYSIS AND POLICY ALTERNATIVES

Alameda County Sherriff's Office (ACSO) is the prime grantee and designated lead for the Alameda County JAG consortium. ACSO formed the JAG consortium in 2005 and updates the Memorandum of Understanding (MOU), with related amendments annually upon submission of the annual JAG grant application. As the lead agency, ACSO is entitled to five percent of the award money for administering the JAG funds. Each member of the consortium shall be allowed to draw down its allocated funds less the five percent administrative fee.

OPD regularly needs new equipment to ensure the effectiveness, professionalism, and safety of its sworn personnel. Regular training programs are a critical feature of OPD's commitment to ensure that all personnel have access to the modern policing strategies and policies. OPD officers rely on CEWs as non-lethal weapons; CEWs can be used to subdue potentially dangerous people with less of a risk of harm than from the use of firearms. The JAG program grant award spending (see Fiscal Impact section below) calls for \$350,000 to be spent on replacing OPD's older CEWs with newer and more-effective ones. OPD plans to spend \$129,291 of the grant award to provide a variety of additional training to law enforcement personnel. The funds will be used to send law enforcement personnel to courses and conferences as well as to bring specialized training to OPD. The remaining \$100,000 will be

used to purchase technical SWAT uniforms which will replace the outdated uniforms currently relied upon.

FISCAL IMPACT

Table 1: OPD Spending Plan for the FY 2016 Local JAG Allocation

Description of Funds	Amount
New CEWs	\$350,000
OPD Personnel Training	\$129,291
SWAT Uniforms	\$100,000
Oakland Spending Plan Total	\$579,291
Alameda County 5% Administrative Cost	\$30,489
Oakland Allocation Grand Total	\$609,780

Funding will be appropriated in the Federal Grant Fund (2112), Fiscal Services Division Org (106510), Agency-wide Administration Program (PS01) and in a Project and Account to be determined, as illustrated in the table below.

Fiscal Year	Fund Source	Organization	Account	Project	Program	Amount
2016-17	2112	106510	TBD	TBD	PSO1	\$609,780

PUBLIC OUTREACH / INTEREST

There was no public outreach conducted for the preparation of this report.

COORDINATION

This report was reviewed by the Office of the City Attorney and the Controller's Bureau.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Acceptance of JAG formula grant funds in prior years has provided OPD with valuable resources which aid in fighting crime and promoting public safety. Prior year JAG Program grant funds have been used to purchase, among other items, the following:

- Eight passenger vans
- A property and evidence barcode and video system
- A dispatch training simulator
- Communications division and crime analysis software
- Specialized forensic microscopes

Item: ~~Public Safety Committee~~
October 25, 2016

SUSTAINABLE OPPORTUNITIES

Economic: Whenever possible, supplies and equipment used for this project will be purchased locally.

Environmental: There are no environmental issues associated with this report.

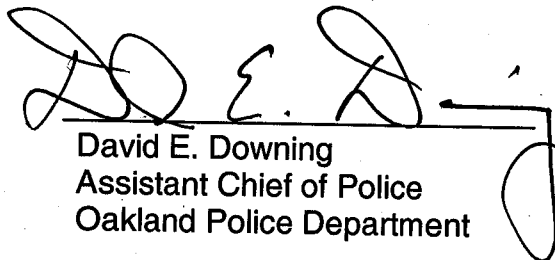
Social Equity: Grant funds and other resources contributed by partnering agencies are directed toward achieving increased public safety which benefits all Oakland residents and visitors.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That City Council Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate The Fiscal Year 2016 U.S. Department Of Justice (DOJ) Edward Byrne Memorial Justice Assistance Grant (JAG) Funds In An Amount Not To Exceed Six Hundred And Nine Thousand, Seven Hundred Eighty Dollars (\$609,780) For October 1, 2015 Through September 30, 2019

For questions regarding this report, please contact Donneshia Nell Taylor, Fiscal Manager, at (510) 238-3288.

Respectfully submitted,



David E. Downing
Assistant Chief of Police
Oakland Police Department

Reviewed by:
Donneshia Nell Taylor, Fiscal Manager
Fiscal Unit, OPD

Bruce Stoffmacher, Legislation Manager
Office of the Chief, Research & Planning, OPD

Prepared by:
Darryl Richardson, Acting Grant Coordinator
Fiscal Services Division, Oakland Police Department

Item: ~~X~~
Public Safety Committee
October 25, 2016

FILED
OFFICE OF THE CITY CLERK
OAKLAND
OAKLAND CITY COUNCIL

OCT 13 PM 2:40

RESOLUTION No. _____ C.M.S.

Approved as to Form and Legality

Amador Soto

City Attorney

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ACCEPT AND APPROPRIATE THE FISCAL YEAR 2016 U.S. DEPARTMENT OF JUSTICE (DOJ) EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FUNDS IN AN AMOUNT NOT TO EXCEED SIX HUNDRED AND NINE THOUSAND, SEVEN HUNDRED EIGHTY DOLLARS (\$609,780) FOR OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2019

WHEREAS, the U.S. DOJ, Office of Justice Programs, Edward Byrne Memorial Justice Assistance Grant (JAG) Local Program awarded the Oakland Police Department (OPD) grant funds in an amount of six hundred and nine thousand, seven hundred eighty dollars (\$609,780) for October 1, 2015 through September 30, 2019; and

WHEREAS, the DOJ, Bureau of Justice Assistance (BJA), provides funding through the JAG program to units of local government for the purpose of reducing crime and improving public safety; and

WHEREAS, the City of Oakland is required to apply for its federal allocation of JAG grant funds as a consortium led by the Alameda County Sheriff's Office (ACSO); and

WHEREAS, the City of Oakland has entered into a Memorandum of Understanding (MOU) with ACSO since 2005 for the purpose of administering JAG grant funds; and

WHEREAS, the City Council previously authorized acceptance of similar grant funds through Resolution No. 85870 C.M.S. dated October 15, 2015, Resolution No. 85530 C.M.S. dated March 31, 2015, Resolution No. 84641 C.M.S. dated September 12, 2013, 84338 C.M.S. dated May 7, 2013, Resolution No. 83625 C.M.S. dated October 27, 2011, Resolution No. 82934 C.M.S. dated July 20, 2010, Resolution No. 81975 C.M.S. dated May 5, 2009, Resolution No. 81581 C.M.S. dated October 7, 2008, Resolution No. 80873 C.M.S. dated October 2, 2007, Resolution No. 80128 C.M.S. dated September 19, 2006, Resolution No. 79764 C.M.S. dated March 7, 2006, and Resolution No. 79378 C.M.S. dated July 19, 2005; now therefore be it

RESOLVED: That the City Council hereby authorizes the City Administrator or designee to accept and appropriate funds from the DOJ JAG in an amount not to

exceed six hundred and nine thousand seven hundred eighty dollars (\$609,780) for the period of October 1, 2015 through September 30, 2019; and be it

FUTHER RESOLVED: That the City Council authorizes OPD to appropriate accrued interest earnings and spend funds in accordance with OPD's JAG program grant award spending plan, which has already been approved by the Alameda County Sheriff's Office which is the prime grantee; and be it

FURTHER RESOLVED: That City Council hereby authorizes the City Administrator or designee to accept and appropriate said grant funds to OPD in Federal Grant Fund (2112); Fiscal Services Division Org. (106510); Agency-wide Administration (PS01), in a Project and Account to be determined; and be it

FURTHER RESOLVED: That grant funds received through the JAG program shall not be used to supplant preexisting funding allocations by the City of Oakland; and be it

FURTHER RESOLVED: That the City Administrator or designee is hereby authorized to complete all required negotiations, certifications, assurances, agreements and documentation required to accept, modify, extend and/or amend the grant award.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and
PRESIDENT GIBSON MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the
Council of the City of Oakland, California