



Board Agenda Item 27

DATE: October 9, 2018
TO: Board of Supervisors
SUBMITTED BY: Margaret Mims, Sheriff-Coroner
SUBJECT: Retroactive Grant Application for Internet Crimes Against Children

RECOMMENDED ACTION(S):

- 1. Retroactively authorize the Sheriff-Coroner's submittal of grant application to the California Governor's Office of Emergency Services (Cal OES) Internet Crimes Against Children (ICAC) Program to fund the activities of the Fresno County Sheriff's ICAC Task Force effective July 1, 2018 through December 31, 2020 (\$1,000,000);**
- 2. Approve resolution in support of the ICAC Program and authorizing the Chairman to execute retroactive grant award, including the Grant Subaward Face Sheet, Certification of Assurance of Compliance and Subrecipient Grants Management Assessment with Cal OES, for the 2018 ICAC Grant for the period of July 1, 2018 through December 31, 2020 (\$1,000,000) and authorize the Sheriff-Coroner, or their authorized representative to sign claims for reimbursement and progress reports for this Agreement; and**
- 3. Adopt Budget Resolution increasing FY 2018-19 appropriations and estimated revenues for Sheriff-Coroner Org in the amount of \$428,510, for the purchase of equipment and training to increase ability to respond to and combat the sexual exploitation of children in Fresno County (4/5 vote).**

There is no additional Net County Cost associated with the recommended actions. Cal OES released this funding application exclusively to the five current federally funded ICAC task forces in California, of which the Fresno County Sheriff-Coroner's Office is one. The Sheriff submitted the non-competitive application to Cal OES to meet the application deadline of August 17, 2018 contingent on your Board's approval. Once the Grant Subaward Face Sheet, Certification of Assurance of Compliance, and Subrecipient Grants Management Assessment with Cal OES are signed by the Chairman, the award documents become the final agreement between the County and Cal OES. This item is countywide.

ALTERNATIVE ACTION(S):

If your Board does not approve the recommended actions, the grant funds would be denied and would impact the Department's ability to investigate computer crimes that target children.

RETROACTIVE AGREEMENT:

The recommended agreement was received from Cal OES on July 18, 2018 and is retroactive to July 1, 2018. Subsequent time for processing delayed this item from being placed on an earlier agenda date.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Appropriations of

\$356,756 and estimated revenues of \$200,000 are included in the Sheriff-Coroner's Org 3111 FY 2018-19 Adopted Budget to partially fund two full-time Deputy Sheriff positions in the Sheriff's ICAC task force. Estimated revenues and appropriations will be increased for the Sheriff Coroners Org 3111 in the amount of \$428,510 to offset ICAC Program related expenses including costs for overtime, services and equipment. Sufficient appropriations will be included in subsequent budget years to continue partially funding two full-time Deputy Sheriff positions, overtime and a Graykey iPhone cracking tool and software through December 31, 2020. There is no match requirement associated with the program.

DISCUSSION:

On September 26, 2017, your Board executed the ICAC grant application/agreement in the amount of \$200,000 effective from July 1, 2017 through June 30, 2018 to partially fund two-full time Deputy Sheriff positions in the Sheriff's ICAC task force. This grant application/agreement would be the fifth year of funding.

The ICAC task force was created to assist local law enforcement agencies in enhancing their investigative response to offenders who use the internet, online communication systems, or other computer technology to sexually exploit children. The Sheriff-Coroner's Office has four funded positons on the ICAC task force, two of which are partially funded by Cal OES. The remaining two positions are funded with federal funds.

Each of the five previously funded ICAC task forces including Fresno County Sheriff's Office, Sacramento County Sheriff's Department, Los Angeles Police Department, San Diego Police Department and San Jose Police Department were allocated an award of \$1,000,000 to cover a 30-month grant period beginning July 1, 2018 and ending December 31, 2020 contingent on the continued appropriation in the California State Budget and passage of the 2018-19 State Budget Act, as well as satisfactory performance in meeting the ICAC program's objectives. The intent of this ICAC program funding opportunity serves to expand the activities of the five existing California ICAC task forces. The Fresno County Sheriff-Coroner's Office will use their allocation to partially fund two Deputy Sheriff positions and overtime, and the purchase of a Graykey iPhone cracking tool and software from July 1, 2018 through December 31, 2020. In addition, the allocation will also be used to add much needed one-time equipment and training that will support the efforts of ICAC for many years to come including forensic examiner training, forensic laptop computer with HP windows, forensic desktop, one dedicated mobile forensic vehicle, forensic toolkit licenses and support for one year, one electronic detection K9, and digital storage server upgrade.

In addition to the standard State and Federal certifications included in the Board of Supervisors' Administrative Policy No. 47 (i.e. lobbying, nondiscrimination, Debarment and Suspension, and Drug-Free Workplace), the grant also requires the certifications summarized here: the Grantee Agency will secure an audit pursuant to OMB Uniform Guidance 2 CFR Part 200, Subpart F, and that the County will comply with all state and federal requirements regarding equal employment opportunity, and civil rights compliance. In signing the Grant Award Face Sheet, the applicant formally notifies Cal OES that the applicant accepts this Grant Award and agrees to administer the grant project in accordance with the Grant Award as well as all applicable state and federal laws, audit requirements, federal program guidelines, and Cal OES policy and program guidance. The Subrecipient Grants Management Assessment certification is related to the Sheriff-Coroner Office's experience in the management of grant awards in order for Cal OES to determine and provide an appropriate level of technical assistance, training and grant oversight. The Grant Recipient further agrees that the allocation of funds may be contingent on the enactment of the State Budget.

The Certification of Assurance of Compliance includes a term that requires the County take responsibility for any liability arising out of the performance of Subaward. The Sheriff does not believe that this term adds anything of substance to the terms of this grant and recommends executing the grant documents irrespective of the foregoing. Lastly, the resolution that Cal OES requires the County to sign to obtain written authorization from the governing board that the official executing the agreement is, in fact, authorized to do so.

REFERENCE MATERIAL:

BAI #33, September 26, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Cal OES

On file with Clerk - Resolution (Org 3111)

On file with Clerk - Resolution

CAO ANALYST:

Jeannie Z. Figueroa