



Board Agenda Item 33

DATE: February 25, 2020

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff

SUBJECT: Retroactive 2019 Coverdell Forensic Grant Application and Acceptance

RECOMMENDED ACTION(S):

1. **Retroactively approve and authorize the Sheriff's previous submittal of a 2019 Coverdell Forensic Grant Application to California Office of Emergency Services (Cal OES), including the "Grant Subaward Face Sheet", the "Signature Authorization" form, the "Certificate of Assurance of Compliance" required by CalOES, the "Subrecipient Grants Management Assessment" form, the "Certificate as to External Investigations" form, and the "Baseline Data Sheet" form, to expand the training of the Fresno County Sheriff's Forensic Services staff and facilitate the purchase of forensic ballistic testing equipment, effective January 1, 2020 through December 31, 2020 (\$53,722);**
2. **Approve and authorize the Sheriff or her designee to execute retroactive grant award from Cal OES, for the 2019 Coverdell Forensic Grant for the period of January 1, 2020 through December 31, 2020 (\$53,722);**
3. **Adopt Resolution in support of 2019 Paul Coverdell Forensic Science Improvement Program;**
4. **Approve and authorize the Sheriff or her designee to execute any and all notices, certificates, applications, reports, amendments, extensions, and other documents which she or her designee may deem necessary or advisable in order to consummate the grant, except those that alter fiscal or material terms of the Grant which are subject to approval by both County Counsel's Office and the Auditor-Controller/Treasurer-Tax Collector's Office;**
5. **Approve and authorize the Chairman to execute the Certification of Assurance of Compliance as required by CalOES;**
6. **Adopt Budget Resolution increasing the FY 2019-20 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org 3111 in the amount of \$96,722 (4/5 vote); and**
7. **Adopt Budget Resolution increasing the FY 2019-20 appropriations in the Sheriff's Criminalistic Laboratory Fund, Org 1451 in the amount of \$43,000 (4/5 vote).**

There is no increase in Net County Cost associated with these actions. The non-competitive grant application was executed and submitted to meet Cal OES requirements, contingent on your Board's approval. Divisions of the Department of Justice (DOJ), such as the National Institute of Justice (NIJ) working through Cal OES, have awarded this grant to assist local forensic laboratories in improving the quality and timeliness of forensic services. The Department will use the grant funds to provide continuing education and training in technical and professional skills to the laboratory's forensic scientists, and, additionally, to partially fund the purchase of forensic ballistic testing equipment. An operating transfer from the Sheriff's Criminalistic Laboratory Special Revenue Fund is recommended to offset the remaining cost of the ballistic testing equipment. It should be noted that although the grant award is retroactive, funds have not

been received or expended. This item is countywide.

ALTERNATIVE ACTION(S):

The non-approval of this item will result in the loss of the Cal OES grant funds with an associated decrease in the professional training opportunities for forensic staff.

RETROACTIVE AGREEMENT:

The Department was notified on October 25, 2019 of the Request for Application and it was due on December 5, 2019. The non-competitive grant application was submitted to Cal OES on November 21, 2019. The grant award, following your Board's approval, will be forwarded to Cal OES who will subsequently make the award notification. Grant funds will not be expended prior to acceptance by the Board and award notification of the grant by Cal OES.

FISCAL IMPACT:

There is no increase in Net County Cost associated with these actions. The award includes \$53,722 for the 2019 Coverdell Forensic Grant. There is no match requirement for receipt of the funds. Approval of the sixth recommended action will increase the FY 2019-20 appropriations and estimated revenues in the Sheriff-Coroner-Public Administrator's Org 3111 in the amount of \$96,722 to provide continuing education and training to the laboratory's forensic scientists, and for the purchase of one comparison microscope to be used in firearms examination. The microscope will be purchased by utilizing Cal OES grant funds and through an Operating Transfer In from the Sheriff's Criminalistics Laboratory Fee fund, Org 1451. The approval of the seventh recommended action will increase the FY 2019-20 appropriations by \$43,000 in the Criminalistic Laboratory Fee SRF Org 1451 using available fund balance to fund an Operating Transfer Out to the Sheriff-Coroner-Public Administrator's Org 3111.

DISCUSSION:

The 2019 Coverdell Forensic Grant funding offered and administered through Cal OES, will be used to address current needs in the crime lab. The grant period will run for 12 months from January 1, 2020 to December 31, 2020; however, the funds have not been received or spent. The grant funds will be used to provide continuing education and training in technical and professional skills to the laboratory's forensic scientists in order to improve their level of expertise, ensure the effectiveness and efficiency of laboratory work, and in turn maintain quality and reduce case turnaround time. Additionally, a microscope to be used for forensic ballistic evaluation will be acquired with these grant funds and the Sheriff's Criminalistic Lab funds, established under the Health and Safety Code Sections 11350-11360 which relates to controlled substances. This Sheriff's Criminalistic Lab Fee fund was set up to collect a \$50.00 fine under these sections. Revenue from these funds shall be used exclusively to fund costs incurred by criminalistics' laboratories, such as for the purchase and maintenance of lab equipment and for continuing education.

In addition to the standard State and Federal certifications included in the Board of Supervisors' Administrative Policy No. 47, the 2019 Coverdell Forensic Grant also requires the certification summarized here: the County must complete a Certification of Assurance of Compliance-FSIA (Cal OES 2-104e), which includes details regarding Federal Grant Funds; Equal Employment Opportunity Program (EEO); California Environmental Quality Act; Civil Rights Compliance; and Special Conditions (as listed in the Certification of Assurance) for the Subaward Eligibility Requirement Certification; and Proof of Authority from the Board of Supervisors. Additionally, CalOES requires the County to sign a Certification as to External Investigations agreeing to an external investigation in the case of an alleged misconduct or serious negligence affecting the integrity of forensic results by an employee or subcontractor of the Fresno County Sheriff. In signing the Grant Award Face Sheet, the County formally notifies Cal OES that the County will comply with all pertinent requirements.

Recommended action #4 facilitates Cal OES's requirement of proof of authority. All sub-recipient grantees of the Grant are required to obtain written authorization that the Sheriff or her designee is in fact authorized to execute the agreement including any amendments and extensions. The authorization for execution of all necessary documents will facilitate implementation of the grant. The Sheriff's or her designee's authorization is limited in regards to any future executable documents that in any way alter, amend, or add to or reduce, the County's fiscal obligations, the length or term of the agreement, or other material terms of the agreement. Such executable documents require the Sheriff to obtain approval from the County Counsel's Office and the Auditor-Controller/Treasurer-Tax Collector's Office. The Sheriff's Administrative Services Director is the designee of the Sheriff for the execution of documents related to this grant.

REFERENCE MATERIAL:

BAI # 36, January 29, 2019

BAI # 30, March 20, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Grant/Agreement with Cal OES

On file with Clerk - Resolutions (Org 3111, 1451)

On file with Clerk - Resolution supporting 2019 Coverdell Forensic Grant Program

CAO ANALYST:

Jeannie Z. Figueroa