



# Board Agenda Item 34

DATE: November 24, 2020

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner-Public Administrator

SUBJECT: Grant Application and Award for Cal OES Internet Crimes Against Children Program

RECOMMENDED ACTION(S):

1. **Retroactively authorize the Sheriff-Coroner-Public Administrator's submittal of grant application to the California Governor's Office of Emergency Services (Cal OES) Internet Crimes Against Children (ICAC) Program to fund activities of the Fresno County Sheriff's ICAC Task Force for the period of January 1, 2021 through December 31, 2021 (\$950,000);**
2. **Approve and authorize the Sheriff-Coroner-Public Administrator as the official designated to enter into the Grant Subaward Face Sheet, Certification of Assurance, and Subrecipient Grants Management Assessment for the 2020 Internet Crimes Against Children (ICAC) Program grant from the Cal OES, including any amendments and extensions, which assists 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; and**
3. **Adopt Budget Resolution increasing FY 2020-21 appropriations and estimated revenues for Sheriff-Coroner-Public Administrator Org in the amount of \$492,032, for overtime, operating expenses including forensic tools, tools for search warrants, wellness/decompression training and one (1) undercover replacement vehicle 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, which includes the Fresno County Sheriff's Office. The Sheriff's Office is requesting your Board authorize the Sheriff as the designated official to sign these documents, including any amendments and extensions thereof; otherwise a modification would be required in January 2021, when the Chairman of the Board changes. Once the Grant Subaward Face Sheet, Certification of Assurance of Compliance, and Subrecipient Grants Management Assessment with Cal OES are signed by the Sheriff, 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, which would impact the Department's ability to investigate computer crimes that target children.

FISCAL IMPACT:

There is no additional Net County Cost associated with the recommended actions. Appropriations of \$903,126 and estimated revenues of \$835,000 are included in the Sheriff's Org 31116310 FY 2020-21 Adopted Budget to fund three full-time Deputy Sheriff positions in the Sheriff's ICAC task force. Estimated revenues and appropriations of \$492,032 will be added to Sheriff's Org 31116310 to fund ICAC Program related activities through expenses, including costs for overtime, forensic tools and software through June 30, 2021. The grant period is from January 1, 2021 through December 31, 2021, and crosses FY 2021 and FY 2022.

FY 2021 adopted revenue = \$835,000

Less FY 2021 remaining ICAC 18-19 grant obligation ending on 12/31/2020 = \$770,350

Difference = \$64,650

ICAC 2020 grant award allocation for calendar year 2021 = \$950,000

Less ICAC 20 grant estimated January to June 2021 expenses = \$393,318

Less remaining FY 2021 difference = \$64,650

Total estimated additional FY 2021 revenue= \$492,032

The difference in grant revenue will be included in the Department's FY 2021-22 budget request. There is no match requirement associated with the program.

DISCUSSION:

On October 9, 2018, your Board executed the ICAC grant application/agreement in the amount of \$1,000,000, effective from July 1, 2018 through December 31, 2020, to partially fund two full-time Deputy Sheriff positions in the Sheriff's ICAC task force, including overtime, the purchase of Graykey iPhone cracking tool and software from July 1, 2018 through December 31, 2020, and one-time equipment and training, which included forensic examiner training, forensic laptop computer, forensic desktop, one dedicated mobile forensic vehicle, forensic toolkit licenses and support for one year, one electronic detection K9, and digital storage server upgrade. This grant application/agreement was the fifth year of funding.

On March 10, 2020, your Board authorized the Sheriff as the designated official to sign the Grant Sub-award Face Sheet, Certification of Assurance and Grant Subaward Amendment documents to accept the additional \$950,000 allocation, since the grant term is for 2.5 years, and involves more than one Chairman of the Board (due to the Cal OES requirement of a modification when there is a change in the Board's designated official). The additional allocation was used to fund one additional Deputy Sheriff to assist the ICAC task force in investigating crimes including the sexual exploitation of children via the internet, overtime, operational costs, equipment including five vehicles, and three forensic desktop computers.

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's Office has five funded positions on the ICAC task force, three of which are funded by Cal OES. The remaining two positions are fully funded with federal funds.

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 each allocated an award of \$950,000 to cover one calendar year, beginning January 1, 2021 and ending December 31, 2021. The intent of the ICAC program funding opportunity is to better ensure local law enforcement agencies are adequately equipped to investigate computer crimes that target our youth; provide educational programs aimed at law enforcement officers, teachers, parents, and children; serve as a forensic resource to law enforcement agencies within each service area; pursue the protection of cases at the local, state, and federal level; and participate in nationally- coordinated investigative efforts. The Fresno County Sheriff's Office will use its allocation to continue to fund three Deputy Sheriff positions,

including overtime, forensic tools including phone cracking tools for both iPhones and droid phones, tools for search warrants including entry tools, wellness and decompression training, and one (1) replacement undercover vehicle. Please note there will be one correction under the first recommended action that will be submitted to Cal-OES that the project narrative should read "This fiscal year Central California ICAC intended on having representatives attend the Fresno County Fair, "Kids Day" event presented by Pelco Inc., "May Day" which is hosted by the Valley Children's Hospital, as well as being chosen to present at a conference attended by medical professions that specifically deal with children but was unable to due to pandemic cancellations. Lastly, the Cal OES requires the County to obtain written authorization from its governing board, i.e., the Board of Supervisors, that the official executing the agreement and related documents is, in fact, authorized to do so.

#### Environmental Determination

Staff have determined that the recommended actions are exempt from CEQA under § 15061(b)(3) of the CEQA Guidelines, which provides, "The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." The recommended Grant Application/Agreement would not be subject to CEQA review at this time because the activities funded by the program propose no physical changes to the environment, and the services provided, and associated increased staffing have no potential to cause a significant effect on the environment. Assuming your Board's approval of recommended actions 1 and 2, Staff will prepare to post a Notice of Exemption.

#### REFERENCE MATERIAL:

BAI #29, March 10, 2020

BAI #27, October 9, 2018

#### ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with Cal OES

On file with Clerk - Resolution (Org 3111)

#### CAO ANALYST:

Yussel Zalapa