



County of Fresno

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Fresno, California
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Legislation Text

File #: 21-1005, **Version:** 1

DATE: November 2, 2021
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. Approve and authorize the Sheriff-Coroner-Public Administrator as the official designated to execute a grant application/agreement including Grant Subaward Face Sheet, Certification of Assurance, and Subrecipient Grants Management Assessment forms for the 2021 Internet Crimes Against Children (ICAC) Program grant from the California Governor's Office of Emergency Services (Cal OES) ICAC Program, 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 to fund activities of the Fresno County Sheriff's ICAC Task Force, for the period of January 1, 2022 through December 31, 2022 (\$950,000); and**
- 2. Approve and authorize Clerk of the Board to execute Budget Transfer No. 35 transferring FY 2021-22 appropriations in the amount of \$90,000 from various 7000 accounts (Services and Supplies) to Account 8300 (Equipment) within the Sheriff-Coroner-Public Administrator Org 3111 for the purchase of four forensic computer workstations (\$35,000), one undercover vehicle (\$50,000), and one hard drive destruction device (\$5,000).**

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 to authorize the Sheriff as the designated official to sign these documents, including any amendments and extensions; otherwise a modification would be required in January 2022, 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. The second recommended action will allow the Sheriff's Office to transfer appropriations of \$90,000 to facilitate the purchase four forensic workstations, one undercover vehicle, and one hard drive destruction device. 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 and estimated revenues are included in the Sheriff's Org 31116310 FY 2021-22 Adopted Budget to fund three full-time Deputy Sheriff positions in the Sheriff's ICAC task force, to fund ICAC Program related activities through expenses, including costs for overtime, operating costs and equipment through June 30, 2022. Approval of the

second recommended action will allow the transfer of FY 2021-22 appropriation of \$90,000 from various 7000 accounts (Services and Supplies) to Account 8300 (Equipment) to facilitate the purchases of the forensic workstations, undercover vehicle, and hard drive destruction device. The grant period is from January 1, 2022 through December 31, 2022, and crosses FY 2022 and FY 2023. 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.

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.

On November 24, 2020, your Board authorized the Sheriff as the designated official to execute the ICAC grant application/agreement in the amount of \$950,000, effective from January 1, 2021 through December 31, 2021, since the grant term was for the calendar year and involved more than one Chairman of the Board (due to Cal OES's requirement of a modification when there is a change in the Board's designated official). The grant funded three Deputy Sheriff positions in the Sheriff's ICAC task force, 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. This grant application/agreement was the tenth year of funding.

The ICAC task force was created to assist local law enforcement agencies to enhance 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, 2022 and ending December 31, 2022. 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 prosecution 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 from this round of grant funding to continue to fund three Deputy Sheriff positions, overtime, forensic tools, phone cracking tools for both iPhones and android phones, training to emphasize emotional coping and stress in accordance, safety gear to execute search warrants, presentation materials, vehicle power inverters, internet access in remote areas, forensic computers, one undercover vehicle, and one hard drive destruction device. 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 commonsense 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 the recommended action, staff will prepare to post a Notice of Exemption.

REFERENCE MATERIAL:

BAI #34, November 24, 2020

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 - Budget Transfer No. 35

CAO ANALYST:

Yussel Zalapa