



# Memorandum

**TO: HONORABLE MAYOR AND  
CITY COUNCIL**

**FROM:** Robert L. Davis  
Larry D. Lisenbee

**SUBJECT: SEE BELOW**

**DATE:** August 23, 2006

Approved

Date

8/25/06

COUNCIL DISTRICT: Citywide

**SUBJECT: ADOPTION OF A RESOLUTION ACCEPTING A CONTINUATION AWARD FOR THE OFFICE OF CRIMINAL JUSTICE PROGRAMS, INTERNET CRIMES AGAINST CHILDREN (ICAC) TASK FORCE GRANT IN THE AMOUNT OF \$400,000 AND ADOPTION OF RELATED APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE GENERAL FUND FOR EXPENSES RELATED TO THE GRANT**

## RECOMMENDATION

It is recommended that the City Council:

1. Adopt a Resolution to accept the Internet Crimes Against Children Grant continuation award from the Office of Criminal Justice Planning in the amount of \$400,000;
2. Adopt the following 2006-2007 Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:
  - A. Establish a City-Wide appropriation to the Police Department for the Internet Crimes Against Children Grant in the amount of \$400,000; and
  - B. Increase the estimate for Revenue from Federal Government by \$400,000.

## OUTCOME

Approval of this recommendation will provide continued funding for the Internet Crimes Against Children Task Force to train, investigate and allow for prosecution of child predators.

## **BACKGROUND**

Since 1976, commercial child pornography has grown and become more sophisticated as the technology to reproduce and distribute pornography has developed. The Internet has enabled child predators to form clubs and other organizations to expand their exploitation of children. The Internet provides predators easier access to children, and it allows them greater anonymity. Law enforcement very quickly recognized the danger these predators posed to children and began efforts to combat their activities. The Office of Juvenile Justice Delinquency and Prevention began development of nationwide law enforcement training on child sexual exploitation in the early 1980's.

In February 2003, the City was awarded \$299,491 from Office of Criminal Justice Planning (OCJP) for the development of the ICAC Task Force. This grant was continued in May 2004 with an award of an additional \$400,000 from OCJP. Investigators from the San Jose Police Department's Child Exploitation Detail were instrumental in developing the first series of nationwide investigative training. In addition, investigators from the Child Exploitation Detail acted as advisors to the early development of the National Center for Missing/Exploited Children Program, which created a wider range of nationwide networking capability.

## **ANALYSIS**

The Police Department applied for and received a second continuation grant for the Internet Crimes Against Children (ICAC) Task Force Program from the United States Department of Justice to enhance the Bureau of Investigation's Child Exploitation Detail (CED). Grant funds will continue to be used to reimburse a forensic examiner salary, investigative overtime and training/travel for sworn personnel; purchase equipment such as computers, digital video and audio equipment; and supplies. The total amount of the grant is \$1,099,491. The term of the second continuation grant extends this grant from February 2003 to July 2007. Amount to be reimbursed in FY 2006-2007 totals \$400,000. Specifically, the grant will assist the CED in maintaining the standardized Response Protocol and Regional Resource Center to investigate computer-facilitated child sexual exploitation by offenders using the Internet, conduct the annual Silicon Valley ICAC conference, attend specialized training, and other technologies.

The Child Exploitation Detail is the Bay Area's primary investigative resource because it has already received extensive training in identifying and arresting child sexual predators who use modern technology to harm children. The CED offers its expertise in undercover investigations of Internet crimes against children and assists other jurisdictions throughout the Greater San Francisco Bay Area to develop protocols for use in these types of investigations. Additionally, the CED works with the U.S. Attorney General's Office in San Francisco, the California Department of Justice, and the Santa Clara County District Attorney's Office to maintain a formal Greater San Francisco Bay Area Task Force. The task force gathers and shares intelligence, investigative information, and provides law enforcement, prosecution, and community training to all jurisdictions within the region.

### POLICY ALTERNATIVES

Not Applicable

### PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

The above criteria do not apply in this continuation grant. The San Jose Police Department consulted with the Santa Clara County District Attorney's Office, the U.S. Attorney General's Office, and the California Department of Justice during the grant application process.

### COORDINATION

This memorandum has been coordinated with the City Attorney's Office, and the Department of Planning and Code Enforcement.

### FISCAL/POLICY ALIGNMENT

The Council agenda item is in line with the General Principles of the Mayor's Budget Strategy in that special grant funds are being utilized to provide more efficient and cost-effective delivery of Police services.

### COST SUMMARY/IMPLICATIONS

Electronic and mechanical equipment such as computers, cameras, and radios may have minor maintenance and repair expenses in the future. These expenses beyond fiscal year 2006-2007 can be addressed in the Police Department's existing non-personal base budget. There is no cash or in-kind match requirements with this grant.

**BUDGET REFERENCE**

Not Applicable

**CEQA**

Not a project.

*Attest*

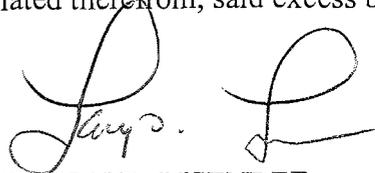
ROBERT L. DAVIS  
Chief of Police



LARRY D. LISENBEE  
Budget Director

For questions, please call Marianne Bourgeois at 277-4086.

I hereby certify that there will be available for appropriation in the Fiscal Year 2006-2007 monies in excess of those heretofore appropriated therefrom, said excess being at least \$400,000 in the General Fund.



LARRY D. LISENBEE  
Budget Director

RLD/MB