



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Robert L. Davis
Jennifer A. Maguire

SUBJECT: SEE BELOW

DATE: November 24, 2008

Approved

Date

COUNCIL DISTRICT: City-Wide

SUBJECT: **ADOPTION OF APPROPRIATION ORDINANCE AND
FUNDING SOURCES RESOLUTION AMENDMENTS IN
THE GENERAL FUND FOR THE GOVERNOR'S OFFICE
OF EMERGENCY SERVICES INTERNET CRIMES
AGAINST CHILDREN (ICAC) TASK FORCE GRANT**

RECOMMENDATION

1. It is recommended that the City Council adopt the following appropriation ordinance and funding sources resolution amendments in the General Fund:
 - a. Increase the existing city-wide appropriation to the Police Department for the Internet Crimes Against Children Task Force Grant in the amount of \$125,000;
 - b. Increase the Earned Revenue Estimate from the State of California by \$125,000.

OUTCOME

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

BACKGROUND

The San Jose Police Department's ICAC Task Force, known as the Silicon Valley Internet Crimes Against Children (SVICAC) Task Force, received its first Federal ICAC Grant award in 2003. Since then, the Task Force has conducted proactive and reactive investigations involving online child sexual predators. The Task Force has established contacts throughout its eleven neighboring counties and has provided training, community outreach, and forensic and investigative support to those agencies.

The Governor's Office of Emergency Services (OES) serves to expand these activities involving the investigation, arrest and prosecution of individuals who use the Internet to exploit children and by increasing training opportunities to law enforcement and the public regarding cyber criminals who prey on children and teens, among other objectives.

The San Jose Police Department's ICAC Task Force received the first California OES ICAC grant award in 2007 in the amount of \$250,000 to aid in meeting the objectives outlined above. The original grant term was January 1, 2008, through December 31, 2008. Recently the San Jose Police Department was awarded an additional \$125,000 from OES as an augmentation to the original grant that also extended the grant term through June 30, 2009.

ANALYSIS

Access to computers and other technology-related communication devices in the United States today has increased at an immeasurable rate. Computers are available to children in our homes, in schools, in public libraries, in community youth centers, and countless other public places where youth congregate. This increase in technology has brought with it tremendous potential for our children and youth. Unfortunately, it has also brought with it the increased potential for online victimization of these same children and youth to include unwanted exposure to sexual material, unwanted sexual solicitations, and online harassment.

The Police Department has formalized law enforcement partnerships through signed operational agreements, which include adoption of federal ICAC Task Force investigative standards and participation in the SVICAC Task Force. The SVICAC Task Force will conduct both proactive and reactive investigations into computer/ technology crimes perpetrated against children. The Task Force will reach out to neighboring law enforcement agencies to work collaboratively to investigate crimes involving child sexual exploitation; will serve as a forensic and investigative resource to affiliated and neighboring agencies; engage in law enforcement and community outreach activities to include training, prevention, and education activities; and provide assistance to participating agencies through training opportunities, equipment and support as funding allows.

Specifically, this additional award of \$125,000 will fund the purchase of two undercover vehicles including maintenance and operating costs through the term of the grant. In addition, this subsequent award will fund the purchase of seven additional computers, forensic software, two Motorola handpack radios, and supplies.

The following is the budget for the additional award of \$125,000 for the Internet Crimes Against Children Task Force Grant as approved by the Governor's Office of Emergency Services:

Budget Category	Budget Amount
A. Equipment	92,925
B. Supplies	27,075
D. Other	5,000
Total Project Costs	\$125,000

EVALUATION AND FOLLOW-UP

No additional Council action is expected for this grant.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 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)**
- Criterion 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)**

This memorandum does not meet any of the above criteria, but it is posted on the City's website for the December 16, 2008 Council agenda.

COORDINATION

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

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COST IMPLICATIONS

Maintenance and operating costs for the two undercover vehicles are funded through the end of the grant cycle of June 30, 2009. Subsequently these costs will be covered by the Federal ICAC grant from July 1, 2009, through the end of the grant term of December 31, 2009. In subsequent ICAC grant applications the Police Department will request funding for the ongoing maintenance and operation costs of these two undercover vehicles. Electronic and mechanical equipment such as computers, software and radios may have minor maintenance, repair and monthly service charges in the future. These expenses beyond the grant term can be addressed in the Police Department's existing non-personal base budget.

This project is being funded by the Governor's Office of Emergency Services. There is no cash or in-kind match requirement with this grant. If grant funding is discontinued, alternate funding for this program would need to be considered.

CEQA

Not a project.


for ROBERT L. DAVIS
Chief of Police


JENNIFER A. MAGUIRE
Budget Director

For questions please contact Rick Cheney, Grants Analyst, at 408.277.4488.

I hereby certify that there will be available for appropriation in the General Fund in the Fiscal Year 2008-2009 moneys in excess of those heretofore appropriated therefrom, said excess being at least \$125,000.


JENNIFER A. MAGUIRE
Budget Director