



Memorandum

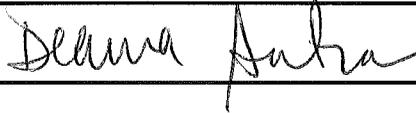
TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Robert L. Davis
Jennifer A. Maguire

SUBJECT: SEE BELOW

DATE: November 16, 2009

Approved



Date

11/24/09

Council District: City-Wide

SUBJECT: ADOPTION OF A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) 2009 CHILD SEXUAL PREDATOR PROGRAM (CSPP) GRANT IN THE AMOUNT OF \$447,773 AND EXECUTION OF THE AGREEMENT, ADOPTION OF 2009-2010 APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE GENERAL FUND FOR THE 2009 CSPP GRANT

RECOMMENDATION

It is recommended that the City Council take the following actions regarding the COPS Office 2009 Child Sexual Predator Program Grant (CSPP):

1. Adopt a resolution accepting the 2009 Child Sexual Predator Program Grant in the amount of \$447,773 and authorize the City Manager to execute the Grant Agreement, any future amendments, and all related documents without further City Council action;
2. Adopt the following appropriation ordinance and funding sources resolution amendments in the General Fund in fiscal year 2009-2010 for the first year costs:
 - a. Establish a City-wide appropriation to the Police Department for the 2009 Child Sexual Predator Program Grant in the amount of \$265,286;
 - b. Increase the Earned Revenue Estimate from the Federal Government by \$265,286.

OUTCOME

Approval of this recommendation will provide continued funding to improve adult and juvenile sex offender management in the City of San José. The San José Police Department (SJPD) will continue its Compliance Check Program (CCP) that was implemented in November 2007 by utilizing these grant funds to review and update data on 2,367 sex registrants living in the City of San Jose, provide training to patrol officers on sex registration management procedures, conduct compliance checks on registrants, educate the public through community presentations and developed partnerships, and share results of CCP efforts to enhance collaboration with other local law enforcement agencies.

BACKGROUND

As part of the Department of Justice's COPS Office annual Appropriations Act, the CSPP grant program assists State, local, and tribal jurisdictions in establishing and/or enhancing strategies to locate, arrest, and prosecute child sexual predators and exploiters and to enforce State sex offender registration laws.

Many times sex offenders do not comply fully or truthfully with registration requirements. As a result of the high number of sex registrants in San José coupled with limited police staffing to conduct compliance checks, a pilot program was initiated in May 2006 to address the problem. The CCP goal was to utilize beat patrol staffing to assist the Megan's Law Detail (MLD) in the compliance check process. A pilot police district was identified to conduct the compliance checks on sex offenders. Officers on patrol were trained in sex registration management and compliance checks were conducted during a two-month period (May 4 – June 30, 2006). During that period, officers were able to contact all 69 of the identified sex offenders within the pilot district.

The success of the pilot project led to a search for grant funds to expand the pilot program to all areas of the City. In December 2006, the City applied for a grant from the Department of Justice, Bureau of Justice Assistance for this purpose. In August 2007, the City was informed the application was approved and was awarded \$250,000 for the 2007 Comprehensive Approaches to Sex Offender Management (CASOM) Discretionary Grant Program. Acceptance of this award allowed the City to carry out the sex offender CCP throughout the City of San José with funding for additional officer overtime, training, and vehicle leases to conduct compliance checks.

ANALYSIS

On June 30, 2009 the CASOM grant program administered by the Bureau of Justice Assistance ended. In planning for the eventual end of this grant program a search for additional grant funds was conducted to continue this successful and vital program. In May 2009, the City received a request for application from the COPS office for the 2009 Child Sexual Predator Program

(CSPP) Grant. The SJPD applied for this new grant program and in October 2009 was notified by the COPS office that the City was awarded grant funds in the amount of \$447,773. The term of this new grant program is September 1, 2009, through August 13, 2011. The projected expenditures for fiscal year 2009-2010 are estimated to be \$265,286, and for fiscal year 2010-2011 are estimated to be \$182,487. The appropriation of funds for the second year of the grant will be requested via the fiscal year 2010-2011 budget process.

This new grant continues the program of proactive compliance checks on sex offenders and management of the local sex offender population. Specifically, this grant will fund investigative overtime and training/travel for sworn personnel; fund 10% of one Analyst II position to perform grant administration; fund the purchase of three undercover vehicles; and fund the purchase of equipment such as computers, digital video, audio equipment, GPS devices, and supplies for the CCP.

Below is the spending plan for the 2009 Child Sexual Predator Program Grant as approved by the COPS Office:

Budget Category	Budget Amount	Projected Expenditures in fiscal year 09/10	Projected Expenditures in fiscal year 10/11
A. Personnel & Fringe Benefits	\$24,489	\$8,163	\$16,326
B. Overtime	249,792	109,004	140,788
C. Travel	53,767	31,299	22,468
D. Equipment	111,903	111,903	0
E. Supplies	5,260	2,630	2,630
F. Contracts/Consultants	725	450	275
G. Other	1,837	1,837	0
Total Project Costs	\$447,773	\$265,286	\$182,487

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 8, 2009 Council agenda.

COORDINATION

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

COST SUMMARY/IMPLICATIONS

The Police Department applied for maintenance and operating costs for the three undercover vehicles in the grant application, but unfortunately this grantor does not reimburse any vehicle maintenance or operating costs. Since the vehicles will need to be utilized to carry out activities supported by the grant program, the Police Department will absorb an estimated \$4,100 per year per vehicle for a total annual cost of \$12,300 in its existing non-personal/equipment appropriation. Electronic and mechanical equipment such as computers, GPS devices, DVD/CD duplicator, and projector may have minor maintenance, repair and monthly service charges in the future. These expenses will also be addressed in the Police Department's existing non-personal base budget.

This project is being funded by the Department of Justice Office of Community Oriented Policing Services (COPS). 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 identified.

CEQA

Not a project.


for ROBERT L. DAVIS
Chief of Police


JENNIFER A. MAGUIRE
Budget Director

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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 2009-2010 moneys in excess of those heretofore appropriated therefrom, said excess being at least \$265,286.


JENNIFER A. MAGUIRE
Budget Director