



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Robert L. Davis
Jennifer A. Maguire

SUBJECT: SEE BELOW

DATE: October 6, 2008

Approved

Christine J. Shuppy

Date

10/14/08

Council District: City-Wide

**SUBJECT: ADOPTION OF APPROPRIATION ORDINANCE AND
FUNDING SOURCES RESOLUTION AMENDMENTS IN
THE GENERAL FUND FOR THE OFFICE OF JUVENILE
JUSTICE AND DELINQUENCY PREVENTION, FY 2008
SILICON VALLEY INTERNET CRIMES AGAINST
CHILDREN (ICAC) CONTINUATION GRANT PROGRAM.**

RECOMMENDATION

It is recommended that the City Council take the following actions regarding the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Continuation grant:

1. Adopt a resolution accepting the FY 2008 Internet Crimes Against Children Continuation Grant in the amount of \$550,141 and authorizing the City Manager to execute the Grant Agreement and all related documents.
2. Adopt amendments to the annual Appropriation Ordinance and the Funding Sources Resolution in the General Fund as follows:
 - a. Establish a City-wide appropriation to the Police Department for the FY 2008 Internet Crimes Against Children Continuation Grant in the amount of \$550,141;
 - b. Increase the Earned Revenue Estimate from the Federal Government by \$550,141.

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.

October 6, 2008

Subject: FY 2008 Silicon Valley ICAC Internet Crimes Against Children Continuation Grant

Page 2

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 (OJJDP) began development of nationwide law enforcement training on child sexual exploitation in the early 1980s.

In February 2003, the City was awarded \$299,491 from the United States Department of Justice (USDOJ) for the development of the ICAC Task Force. This grant was continued in May 2004 with an award of an additional \$400,000 from the USDOJ. Investigators from the San Jose Police Department Child Exploitation Detail were instrumental in developing the first series of nationwide investigative training. In addition, investigators from the Child Exploitation Detail (CED) 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. In June 2006 the Police Department applied for and received a second continuation grant in the amount \$400,000 for the ICAC Task Force Program from the USDOJ to enhance the Bureau of Investigation's Child Exploitation Detail. Grant funds were utilized to reimburse the salary for a forensic examiner position, 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 including this second continuation is \$1,099,491. The term of the second continuation extended the grant term from February 2003 to July 2007. Subsequently the grant term was extended to September 2008. Specifically, the grant assisted the CED in maintaining the standardized Response Protocol and Regional Resource Center to investigate computer-facilitated child exploitation by offenders using the Internet, conduct the annual Silicon Valley ICAC conference, attend other training, and deploy 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 that 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 and investigative information, and provides law enforcement, prosecution and community training to all jurisdictions within the region.

October 6, 2008

Subject: FY 2008 Silicon Valley ICAC Internet Crimes Against Children Continuation Grant

Page 3

ANALYSIS

The Police Department applied for and was awarded the 2008 Internet Crimes Against Children Continuation Grant. The grant term is July 1, 2008 through December 31, 2009. This new grant continues the program as described above. Specifically, this grant will fund investigative overtime and training/travel for sworn personnel; fund the purchase of three undercover vehicles including maintenance and operating costs; fund all costs associated with sponsoring the Silicon Valley Internet Crimes Against Children Training Conference to be held May 12-15, 2009; and fund the purchase of equipment such as computers, digital video, audio equipment, and supplies.

The following is the budget for the 2008 Internet Crimes Against Children Continuation Grant as approved by the OJJDP:

Budget Category	Budget Amount
A. Personnel & Fringe Benefits	\$167,300
B. Travel	63,404
C. Equipment	132,000
D. Supplies	52,927
E. Contracts/Consultants	68,330
F. Other	66,180
Total Project Costs	\$550,141

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)**

HONORABLE MAYOR AND CITY COUNCIL

October 6, 2008

Subject: FY 2008 Silicon Valley ICAC Internet Crimes Against Children Continuation Grant

Page 4

This memorandum does not meet any of the above criteria, but it is posted on the City's website for the October 28, 2008 Council agenda.

COORDINATION

This memorandum has been coordinated with the Department of Planning and the Office of the City Attorney.

COST SUMMARY/IMPLICATIONS

Maintenance and operating costs for the three undercover vehicles are funded through the end of the grant cycle of December 31, 2009. In subsequent ICAC grant applications the Police Department will request funding for the ongoing maintenance and operation costs of these three undercover vehicles. Electronic and mechanical equipment such as computers, televisions, DVD players, and cell phones 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 Office of Juvenile Justice and Delinquency Prevention. 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.

D/c Cavallas

for
ROBERT L. DAVIS
Chief of Police

Jennifer A. Maguire

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 \$550,141.

Jennifer A. Maguire

JENNIFER A. MAGUIRE
Budget Director