

LOS ANGELES POLICE COMMISSION

BOARD OF POLICE COMMISSIONERS

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EXECUTIVE OFFICE
POLICE ADMINISTRATION BUILDING
100 WEST FIRST STREET, SUITE 134
LOS ANGELES, CA 90012-4112

(213) 236-1400 PHONE
(213) 236-1410 FAX
(213) 236-1440 TDD

November 22, 2022

BPC #22-250

The Honorable Eric Garcetti
Mayor, City of Los Angeles
City Hall, Room 303
Los Angeles, CA 90012

The Honorable City Council
City of Los Angeles, Room 395
c/o City Clerk's Office

Dear Honorable Members:

RE: TRANSMITTAL OF THE GRANT APPLICATION AND AWARD ACCEPTANCE FOR
BODY-WORN CAMERA POLICY AND IMPLEMENTATION PROGRAM.

At the regular meeting of the Board of Police Commissioners held Tuesday, November 22, 2022
the Board APPROVED the Department's report relative to the above matter.

Respectfully,

BOARD OF POLICE COMMISSIONERS

A handwritten signature in blue ink that reads "Rebecca Muñoz".

REBECCA MUÑOZ
Commission Executive Assistant

Attachment

c: Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

22-250 4A
RECEIVED
NOV 16 2022
POLICE COMMISSION
RICHARD M. TRANK
EXECUTIVE DIRECTOR
DATE

November 15, 2022

1.14

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: TRANSMITTAL OF THE GRANT APPLICATION AND AWARD
ACCEPTANCE FOR THE FY 2022 BODY-WORN CAMERA (BWC) POLICY
AND IMPLEMENTATION PROGRAM – USING BWC FOOTAGE FOR
TRAINING AND CONSTITUTIONAL POLICING DEMONSTRATION
PROJECT

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE this report.
2. That the Board TRANSMIT the attached grant application and award, pursuant to Administrative Code Section 14.6(a), to the Mayor, Office of the City Administrative Officer (CAO), Office of the Chief Legislative Analyst, and the City Clerk for Committee and City Council consideration.
3. That the Board REQUEST the Mayor and City Council to:
 - A. AUTHORIZE the Chief of Police or his designee to retroactively APPLY for and ACCEPT the grant award of \$1,000,000 from the Bureau of Justice Assistance, United States Department of Justice for the FY 2022 Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies Grant– Using BWC Footage for Training and Constitutional Policing Demonstration Project (Training Project) for the period of October 1, 2022 to September 30, 2025;
 - B. AUTHORIZE the Chief of Police or his designee to negotiate and execute the grant award agreement, subject to the review of the City Attorney as to form and legality;
 - C. AUTHORIZE the Chief of Police or his designee to execute a new contract or amend existing agreements with a vendor to retrofit classrooms in the Los Angeles Police Department's (LAPD) Ahmanson Recruit Training Center, not to exceed \$190,420 for the performance period of October 1, 2022 to September 30, 2025, subject to the review and approval of the City Attorney;

- D. AUTHORIZE the Chief of Police or his designee to execute a new contract or amend existing agreements with a vendor to upgrade the Video, Online Learning, and Training Technology (VOLT) Unit Studio, not to exceed \$50,000 for the performance period of October 1, 2022 to September 30, 2025, subject to the review and approval of the City Attorney;
- E. AUTHORIZE the LAPD to spend up to the total grant amount of \$1,000,000 in accordance with the grant award agreement;
- F. AUTHORIZE the LAPD to submit grant reimbursement requests to the grantor and deposit grant receipts in Fund No. 339, Department No. 70;
- G. AUTHORIZE the Controller to establish a grant receivable and appropriate \$1,000,000 to appropriation account, account number to be determined, within Fund No. 339, Department No. 70, for the receipt and disbursement of FY 22 BWC- Training Project grant funds;
- H. AUTHORIZE the Controller to increase appropriations as needed for the FY 22 BWC- Training Project from Fund No. 339, Department No. 70, account number to be determined, to Fund No. 100, Department No. 70, account numbers and amounts as follows:

Account No. 001090	Overtime General	\$29,074
Account No. 001092	Sworn Overtime	\$238,873

- I. INSTRUCT the City Clerk to place the following action relative to the FY 2022 Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies Grant– Using BWC Footage for Training and Constitutional Policing Demonstration Project grant on the City Council agenda on July 1, 2023 or the first meeting day thereafter:

AUTHORIZE the Controller to transfer from Fund No. 339, Department No. 70, account number to be determined, to Fund No. 100, Department No. 70, account numbers and amounts as follows:

Account No. 001090	Overtime General	\$19,383
Account No. 001092	Sworn Overtime	\$185,571

- J. INSTRUCT the City Clerk to place the following action relative to the FY 2022 Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies Grant– Using BWC Footage for Training and Constitutional Policing Demonstration Project grant on the City Council agenda on July 1, 2024 or the first meeting day thereafter:

AUTHORIZE the Controller to transfer from Fund No. 339, Department No. 70, account number to be determined, to Fund No. 100, Department No. 70, account number and amount as follows:

Account No. 001090	Overtime General	\$19,383
Account No. 001092	Sworn Overtime	\$185,571

- K. AUTHORIZE the Controller to transfer appropriations within Fund No. 339, Department No. 70, account numbers to be determined, for fringe benefits and related costs, upon submission of proper documentation by the LAPD, subject to CAO approval of the related costs incurred during the grant performance period;
- L. AUTHORIZE the LAPD to prepare the Controller's instructions for any necessary technical adjustments, subject to the approval of the CAO, and instruct the Controller to implement the instructions.

DISCUSSION

The U.S. Department of Justice (DOJ) Office of Justice Programs (OJP), Bureau of Justice Assistance's (BJA) FY 2022 Body-worn Camera Policy and Implementation Program to Support Law Enforcement Agencies (BWCPIP-LEA) supports the refinement of existing body worn camera (BWC) programs through demonstration programs that will improve and agency's operations and have a high likelihood of being replicated in other locations. The FY 2022 BWCPIP-LEA Category 5: Using BWC Footage for Training and Constitutional Policing Demonstration Project funds law enforcement agencies that have demonstrated success in using agency-generated BWC footage to (a) Promote community outreach efforts, (b) Improve officer performance through training using agency BWCs (e.g., de-escalation training), and/or (c) Advance constitutional policing practices (e.g., monitoring officer compliance with BWC policy or standards for fair-and-effective policing).

Under the Category 5 of the FY 2022 BWCPIP-LEA, the LAPD was awarded \$1,000,000 to (1) Enhance and expand the LAPD's training curriculum in the LAPD Academy and In-Service training programs to integrate BWC footage to exemplify the best practices in law enforcement; and (2) Identify the best practices from this proposed training enhancement in order to replicate it as a nationwide standard in law enforcement training. The proposed program will be implemented in three phases: Development, Implementation, and Assessment. There will be two Project Managers within LAPD's Training Division to coordinate all day-to-day grant activities.

Grant funds will be used to provide the LAPD Training Division ability to integrate BWC footage in Academy and in-service training modules. The grant budget allocates \$755,400 for sworn and civilian overtime to develop curriculums; identify and use BWC footages to enhance training; \$4,180 for travel; and, \$240,420 for contracts to retrofit seven classrooms and upgrade the VOLT Unit Studio at the Ahmanson Recruitment Training Center. There are no matching requirements for this grant.

The Honorable Board of Police Commissioners

Page 4

1.14

The LAPD did not include reimbursements for related costs for sworn and civilian overtime in support of this program at the time of application. After grant acceptance by City Council and Mayor, the LAPD will submit a budget modification to the grantor requesting to reprogram a portion of the overtime funds to reflect eligible related cost reimbursements for the use of sworn and civilian overtime.

If you have any questions, please contact Senior Management Analyst II Stella Larracas, Office of Constitutional Policing and Policy, Grants Section at (213) 486-0380.

Respectfully,



MICHEL R. MOORE
Chief of Police

Attachments

**BOARD OF
POLICE COMMISSIONERS**
Approved *November 22, 2022*
Secretary *Rebecca Mung*

INTRADEPARTMENTAL CORRESPONDENCE

November 10, 2022
1.14

TO: Chief of Police

FROM: Director, Office of Constitutional Policing and Policy


SUBJECT: TRANSMITTAL OF THE GRANT APPLICATION AND AWARD
ACCEPTANCE FOR THE FY 2022 BODY-WORN CAMERA POLICY
AND IMPLEMENTATION PROGRAM – USING BWC FOOTAGE FOR
TRAINING AND CONSTITUTIONAL POLICING DEMONSTRATION

Attached for your approval and signature is an Intradepartmental Correspondence to the Board of Police Commissioners requesting approval to transmit the attached grant application and award for the FY 2022 Body-worn Camera (BWC) Policy and Implementation Program to Support Law Enforcement Agencies from the United States Department of Justice, Bureau of Justice Assistance, pursuant to Administrative Code Section 14.6(a), to the Mayor, Office of the City Administrative Officer, Office of the Chief Legislative Analyst, and to the City Clerk for Committee and City Council consideration. The Los Angeles Police Department (LAPD) is requesting authorization to accept the \$1,000,000 grant award for the performance period of October 1, 2022 through September 30, 2025. Upon approval by City Council and Mayor, the Grants Section will accept the grant award on behalf of the Chief of Police in the Just Grants federal grant management system.

The LAPD was awarded \$1,000,000 to (1) enhance and expand the LAPD's training curriculum in the LAPD Academy and In-Service training programs by integrating BWC footage; and (2) identify best practices from this proposed training enhancement in order to replicate it as a nationwide standard in law enforcement training. Grant funds will be used to provide the LAPD Training Division the ability to integrate BWC footage in Academy and in-service training modules. The grant budget allocates \$755,400 for sworn and civilian overtime to develop curriculum and identify and use BWC footages to enhance training; \$4,180 for travel; and \$240,420 for contracts to retrofit seven classrooms and upgrade the VOLT Unit Studio at the Ahmanson Recruitment Training Center.

If you have any questions, please contact Senior Management Analyst II Stella Larracas, Office of Constitutional Policing and Policy, Grants Section at (213) 486-0380.

Respectfully,



LUNIE, Fou

LIZABETH RHODES, Director
Office of Constitutional Policing and Policy

Attachments

✓ Award Letter

September 27, 2022

Dear Michel Moore,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by CITY OF LOS ANGELES for an award under the funding opportunity entitled 2022 BJA FY 22 Body-worn Camera Policy and Implementation Program to Support Law Enforcement Agencies. The approved award amount is \$1,000,000.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance. For COPS Office and OVW funding the Award Offer also includes any Other Award Documents.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Maureen Henneberg
Deputy Assistant Attorney General

Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance to give assurances that they will comply with those laws. Taken together, these civil rights laws prohibit recipients of federal financial assistance from DOJ from discriminating in services and employment because of race, color, national origin, religion, disability, sex, and, for grants authorized under the Violence Against Women Act, sexual orientation and gender identity. Recipients are also prohibited from discriminating in services because of age. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>.

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a nondiscriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5).

The OCR is available to help you and your organization meet the civil rights requirements that are associated with DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to contact the OCR at askOCR@ojp.usdoj.gov.

Memorandum Regarding NEPA

NEPA Letter Type

OJP - Categorical Exclusion

NEPA Letter

None of the following activities will be conducted whether under the Office of Justice Programs federal action or a related third party action:

- (1) New construction
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species
- (3) A renovation that will change the basic prior use of a facility or significantly change its size
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment
- (5) Implementation of a program involving the use of chemicals (including the identification, seizure, or closure of clandestine methamphetamine laboratories)

Additionally, the proposed action is neither a phase nor a segment of a project that when reviewed in its entirety would not meet the criteria for a categorical exclusion.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

Questions about this determination may be directed to your grant manager or Orbin Terry, Environmental Coordinator for the Bureau of Justice Assistance
NEPA Coordinator

First Name
Orbin

Middle Name

Last Name
Terry

✓ Award Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Recipient Information

Recipient Name
LOS ANGELES, CITY OF

UEI
ZRXCMMNSUEJ1

Street 1
200 N MAIN ST

Street 2

City
LOS ANGELES

State/U.S. Territory
California

Zip/Postal Code
90012

Country
United States

County/Parish

Province

Award Details

Federal Award Date
9/27/22

Award Type
Initial

Award Number
15PBJA-22-GG-03322-BWCX

Supplement Number
00

Federal Award Amount
\$1,000,000.00

Funding Instrument Type
Grant

Assistance Listing Number

Assistance Listings Program Title

16.835

Body Worn Camera Policy and Implementation

Statutory Authority

Department of Justice Appropriations Act, 2022 (Pub. L. No. 117-103, 136 Stat. 49, 127)

I have read and understand the information presented in this section of the Federal Award Instrument.

11

✓ Project Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Solicitation Title

2022 BJA FY 22 Body-worn Camera Policy and Implementation Program to Support Law Enforcement Agencies

Awarding Agency

OJP

Program Office**Application Number**

GRANT13622191

Grant Manager Name Phone Number E-mail Address
Flora Lawson 202-305-9216 Flora.D.Lawson@usdoj.gov

Project Title

LAPD: 2023 Using BWC Footage for Training and Constitutional Policing

Performance Period Start Date

10/01/2022

Performance Period End Date

09/30/2025

Budget Period Start Date

10/01/2022

Budget Period End Date

09/30/2025

Project Description

In August 2015, the Los Angeles Police Department (LAPD), with the assistance of the Bureau of Justice (BJA), began deploying 7,000 body-worn cameras (BWC) to all uniformed patrol officers in its 21 geographic areas. This initial deployment was completed in 2018 and later expanded with 355 and 500 BWCs respectively, for the specialized details, through BJA's FY 2019 and 2021 BWC Policy and Implementation Program. The BWC deployment is intended to enhance operations and safety, reporting, investigations and resolution of personnel complaints, documentation of evidence for criminal prosecution, and risk management. Along with the implementation is a comprehensive set of policies and procedures for the use, training, deployment, storage, and review of BWC and its footages.

Because the use of BWCs have become an integral part of policing, de-briefing, and affects virtually all interactions, investigations, community relations, and tactical and policy review, the LAPD seeks to integrate and use BWC footage into various training programs. Using relevant videos would present invaluable insights and learning points, improving officer performance and advancing constitutional policing. Under the Category 5 of the 2022 Body-worn Camera Policy and Implementation Program to Support Law Enforcement Agencies (O-BJA-2022-171093), the LAPD proposes to implement the *LAPD: Using BWC Footage for Training and Constitutional Policing Program*. The LAPD will utilize grant funds to achieve a dual goal to (1) Enhance and expand the LAPD's training curriculum in the LAPD Academy and In-Service training programs to integrate BWC footage to exemplify the best practices in law enforcement; and (2) Identify the best practices from this proposed training enhancement in order to replicate it as a nationwide standard in law enforcement training. The proposed program will be implemented in three phases: Development, Implementation, and Assessment. There will be two Project Managers within LAPD's Training Division to coordinate all day-to-day grant activities. Grant funds will be used to provide the LAPD Training Division the capacity and capability, by enhancing its technological and personnel capabilities, to integrate BWC footage in Academy and in-service training modules. The LAPD will work collaboratively with the assigned TTA during the implementation of the program as well as in the formation of an Assessment Committee to document best practices and lessons learned and attend conferences to share the final evaluation.

I have read and understand the information presented in this section of the Federal Award Instrument.

✓ Financial Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

The recipient budget is currently under review.

I have read and understand the information presented in this section of the Federal Award Instrument.

✓ Award Conditions

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.



Compliance with general appropriations-law restrictions on the use of federal funds (FY 2022)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2022, are set out at <https://www.ojp.gov/funding/Explore/FY22AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.



Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2022 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2022 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2022 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.334.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.



Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.



OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://www.ojp.gov/funding/Implement/training-guiding-principles-grantees-and-subgrantees>.



Required training for Grant Award Administrator and Financial Manager

The Grant Award Administrator and all Financial Managers for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after October 15, 2020, will satisfy this condition.

In the event that either the Grant Award Administrator or a Financial Manager for this award changes during the period of performance, the new Grant Award Administrator or Financial Manager must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after the date the Entity Administrator enters updated Grant Award Administrator or Financial Manager information in JustGrants. Successful completion of such a training on or after January 1, 2020, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.



Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.



Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements – whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period – may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.



Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.



Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.



Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."



Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.



Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").



Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including

within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

14

Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

15

Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16

Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

17

Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

18

Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

19

Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantees list.

20

Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-

Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

21

Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient—

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both—

a. it represents that—

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

22

Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

23

All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that - for purposes of federal grants administrative requirements - OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

24

Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

25

Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26

Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that – for purposes of federal grants administrative requirements – OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

27

Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

28

Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

29

Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

30

The recipient understands that, in accepting this award, the Authorized Representative declares and certifies, among other things, that he or she possesses the requisite legal authority to accept the award on behalf of the recipient entity and, in so doing, accepts (or adopts) all material requirements that relate to conduct throughout the period of performance under this award. The recipient further understands, and agrees, that it will not assign anyone to the role of Authorized Representative during the period of performance under the award without first ensuring that the individual has the requisite legal authority.

31

Verification and updating of recipient contact information

The recipient must verify its Grant Award Administrator, Financial Manager, and Authorized Representative contact information in JustGrants, including telephone number and e-mail address. If any information is incorrect or has changed, the award recipient's Entity Administrator must make changes to contact information through DIAMD. Instructions on how to update contact information in JustGrants can be found at <https://justicegrants.usdoj.gov/training/training-entity-management>.

32

The award recipient agrees to participate in a data collection process measuring program outputs and outcomes. The data elements for this process will be outlined by the Office of Justice Programs.

33

Confidentiality of data

The recipient (and any subrecipient at any tier) must comply with all confidentiality requirements of 34 U.S.C. 10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient further agrees, as a condition of award approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23.

34

Copyright; Data rights

The recipient acknowledges that OJP reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) any work subject to copyright developed under an award or subaward (at any tier); and (2) any rights of copyright to which a recipient or subrecipient (at any tier) purchases ownership with Federal support.

The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under any such award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.227-14 (Rights in Data - General).

It is the responsibility of the recipient (and of each subrecipient (at any tier), if applicable) to ensure that the provisions of this condition are included in any subaward (at any tier) under this award.

The recipient has the responsibility to obtain from subrecipients, contractors, and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed subrecipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the OJP program manager for the award and not proceed with the agreement in question without further authorization from the OJP program office.

35

The recipient agrees that it will submit quarterly financial status reports (the SF 425 Federal Financial Report) to OJP in JustGrants, no later than the deadlines set out in the DOJ Financial Guide and the JustGrants guidance (typically 30 days after the end of each calendar quarter). Delinquent reports may lead to funds being frozen and other remedies.

36

The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

37

38

Justification of consultant rate

Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the OJP program office prior to obligation or expenditure of such funds.

39

Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

40

The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

41

The recipient shall submit semiannual performance reports. Performance reports shall be submitted within 30 days after the end of the reporting periods, which are June 30 and December 31, for the life of the award. These reports will be submitted to the Office of Justice Programs, on-line through the Internet at <https://justgrants.usdoj.gov>

42

Justice Information Sharing

Information sharing projects funded under this award must comply with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

43

The recipient agrees to submit a final report at the end of this award documenting all relevant project activities during the entire period of support under this award. This report will include detailed information about the project(s) funded, including, but not limited to, information about how the funds were actually used for each purpose area, data to support statements of progress, and data concerning individual results and outcomes of funded projects reflecting project successes and impacts. The final report is due no later than 120 days following the close of this award period or the expiration of any extension periods. This report will be submitted to the Office of Justice Programs, on-line through the Internet at <https://justgrants.usdoj.gov/>

44

The recipient must submit a BWC policy no later than 120 days of award acceptance, unless an extension for good cause shown has been granted by BJA. Failure to submit a BWC policy within 120 days of award acceptance may result in the freezing of grant funds.

45

As of the first day of the period of performance for the award, the recipient may incur project costs using non-federal funds as necessary, but any such project costs are incurred at the recipient's risk until, at a minimum, all applicable withholding conditions are removed by OJP (via an Award Condition Modification (ACM)). Federal funds will not be used to provide reimbursement for the purchase of equipment already owned by the recipient prior to the first day of the period of performance for the award.

Except to the extent (if any) that an award condition expressly precludes reimbursement of project costs incurred "at-risk," if and when the recipient makes a valid acceptance of this award and OJP removes each applicable withholding condition through an ACM, the recipient is authorized to reimburse itself for project costs incurred "at-risk" earlier during the period of performance (such as project costs incurred prior to award acceptance or prior to removal of an applicable withholding condition), provided that those project costs are otherwise allowable costs under the award.

46

Limit on use of grant funds for grantees' employees' salaries

With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

47

Recipient integrity and performance matters: Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIIS").

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIIS") within SAM are posted on the OJP web site at <https://ojp.gov/funding/FAPIIS.htm> (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIIS), and are incorporated by reference here.

48

Conditional Clearance

The recipient may not obligate, expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and an Award Condition Modification (ACM) has been issued to remove this award condition.

I have read and understand the information presented in this section of the Federal Award Instrument.

✓ Award Acceptance

Declaration and Certification to the U.S. Department of Justice as to Acceptance

By checking the declaration and certification box below, I--

- A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this declaration and certification on behalf of the applicant.
- B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant's legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.
- C. Accept this award on behalf of the applicant.
- D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

Agency Approval

Title of Approving Official	Name of Approving Official	Signed Date And Time
Deputy Assistant Attorney General	Maureen Henneberg	9/22/22 3:02 PM

Authorized Representative

Entity Acceptance

Title of Authorized Entity Official
Chief of Police
Signed Date And Time

INTRADEPARTMENTAL CORRESPONDENCE

November 9, 2022

1.14

TO: Chief of Police

FROM: Director, Office of Constitutional Policing and Policy

SUBJECT: TRANSMITTAL OF THE GRANT APPLICATION AND AWARD
ACCEPTANCE FOR THE FY 2022 BODY-WORN CAMERA POLICY
AND IMPLEMENTATION PROGRAM – USING BWC FOOTAGE FOR
TRAINING AND CONSTITUTIONAL POLICING DEMONSTRATION

Attached for your approval and signature is an Intradepartmental Correspondence to the Board of Police Commissioners requesting approval to transmit the attached grant application and award for the FY 2022 Body-worn Camera (BWC) Policy and Implementation Program to Support Law Enforcement Agencies from the United States Department of Justice, Bureau of Justice Assistance, pursuant to Administrative Code Section 14.6(a), to the Mayor, Office of the City Administrative Officer, Office of the Chief Legislative Analyst, and to the City Clerk for Committee and City Council consideration. The Los Angeles Police Department (LAPD) is requesting authorization to accept the \$1,000,000 grant award for the performance period of October 1, 2022 through September 30, 2025. Upon approval by City Council and Mayor, the Grants Section will accept the grant award on behalf of the Chief of Police in the Just Grants federal grant management system.

The LAPD was awarded \$1,000,000 to (1) enhance and expand the LAPD's training curriculum in the LAPD Academy and In-Service training programs by integrating BWC footage; and (2) identify best practices from this proposed training enhancement in order to replicate it as a nationwide standard in law enforcement training. Grant funds will be used to provide the LAPD Training Division the ability to integrate BWC footage in Academy and in-service training modules. The grant budget allocates \$755,400 for sworn and civilian overtime to develop curriculum and identify and use BWC footages to enhance training; \$4,180 for travel; and \$240,420 for contracts to retrofit seven classrooms and upgrade the VOLT Unit Studio at the Ahmanson Recruitment Training Center.

If you have any questions, please contact Senior Management Analyst II Stella Larracas, Office of Constitutional Policing and Policy, Grants Section at (213) 486-0380.

Respectfully,

LIZABETH RHODES, Director
Office of Constitutional Policing and Policy

Attachments

Budget Detail Summary View

Budget Category

Personnel

Budget Year

Year 1

	Name	Position	Salary	Rate	Time Worked	Percentage of Time (%)	Total Cost
1	Program Development OT Sworn	Various Sworn Positions	\$110.00	H	1,080.00	100.00%	\$118,800.00
2	Program Development OT Civilian	Various Civilian Positions	\$90.00	H	240.00	100.00%	\$21,600.00
3	Instructor Training OT Sworn	Various Sworn Positions	\$110.00	H	800.00	100.00%	\$88,000.00
4	Program Assessment and Management OT Sworn	Various Sworn Positions	\$110.00	H	540.00	100.00%	\$59,400.00
6	Program Assessment and Management OT Civilian	Various Civilian Positions	\$90.00	H	120.00	100.00%	\$10,800.00

Personnel Total Cost
\$298,600.00

Additional Narrative

The Los Angeles Police Department (LAPD) plans to budget \$298,600 in Personnel Costs for Year One. A total of 2,760 hours will be allotted to various sworn and civilian staff from LAPD Training Division, as well as identified subject matter experts from other LAPD Divisions. Activities during this period includes Program Development - including all activities by the working group during the Development Phase of the Program Implementation; Instructor Training - including training for the trainers on curriculum update, and Program Assessment and Management - including development of surveys and metrics to be used in assessing the program. Average overtime for sworn employees is \$110 and average overtime cost for civilian employees is \$90.

Year 2

	Name	Position	Salary	Rate	Time Worked	Percentage of Time (%)	Total Cost
1	Program Assessment and Management OT Civilian	Various Civilian Positions	\$110.00	H	800.00	100.00%	\$88,000.00
2	Instructor Training OT Sworn	Various Sworn Positions	\$110.00	H	1,080.00	100.00%	\$118,800.00
3	Program Assessment and Management OT Sworn	Various Sworn Positions	\$90.00	H	240.00	100.00%	\$21,600.00

Personnel Total Cost
\$228,400.00

Additional Narrative

The Los Angeles Police Department (LAPD) plans to budget \$228,400 in Personnel Costs for Year Two. A total of 2,120 hours will be allotted to various sworn and civilian staff from LAPD Training Division, as well as identified subject matter experts from other LAPD Divisions. Activities during this period includes ; Instructor Training - including training for the trainers on curriculum update, and Program Assessment and Management - including development of surveys and metrics to be used in assessing the program. Average overtime for sworn employees is \$110 and average overtime cost for civilian employees is \$90.

Year 3

	Name	Position	Salary	Rate	Time Worked	Percentage of Time (%)	Total Cost
1	Program Assessment and Management OT Civilian	Various Civilian Positions	\$110.00	H	800.00	100.00%	\$88,000.00
2	Instructor Training OT Sworn	Various Sworn Positions	\$110.00	H	1,080.00	100.00%	\$118,800.00
3	Program Assessment and Management OT Sworn	Various Sworn Positions	\$90.00	H	240.00	100.00%	\$21,600.00

Personnel Total Cost
\$228,400.00

Additional Narrative

The Los Angeles Police Department (LAPD) plans to budget \$228,400 in Personnel Costs for Year Three. A total of 2,120 hours will be allotted to various sworn and civilian staff from LAPD Training Division, as well as identified subject matter experts from other LAPD Divisions. Activities during this period includes ; Instructor Training - including training for the trainers on curriculum update, and Program Assessment and Management - including development of surveys and metrics to be used in assessing the program. Average overtime for sworn employees is \$110 and average overtime cost for civilian employees is \$90.

Fringe Benefits

Travel

Budget Year

Year 1

Year 2

Year 3

	Purpose of Travel	Location	Type of Expense	Basis	Cost	Quantity	# Of Staff	# Of Trips	Total Cost
1	National Conference	TBD - Washington DC	Transportation	Round-Trip	\$600.00	1.00	2.00	1.00	\$1,200.00
2	National Conference	TBD - Washington DC	Lodging	Night	\$258.00	3.00	2.00	1.00	\$1,548.00
3	National Conference	TBD - Washington DC	Meals	Day	\$79.00	4.00	2.00	1.00	\$632.00
4	National Conference	TBD - Washington DC	Other	NA	\$100.00	4.00	2.00	1.00	\$800.00

Travel Total Cost
\$4,180.00

Additional Narrative

The LAPD will budget \$4,180 in travel expenses for two program personnel to attend a national conference and share lessons learned. GSA Rates for Washington DC are used for this budget items. The LAPD will work with the assigned TTA to identify which national conference would be appropriate for this purpose.

Equipment

Supplies

Construction

SubAwards

Procurement Contracts

Budget Year

Year 1

Item	Description	Consultant	Country	State/U.S. Territory	City	Total Cost
1	Upgrade Training Facilities To retrofit 7 classrooms to have the capacity and capability to integrate BWC footage and other videos into training sessions	No	United States	California	Burbank	\$190,420.00
2	Upgrade LAPD Studio To increase the capacity and capability of the VOLT UNIT in incorporating BWC footage into the identified training modules	No	United States	California	Burbank	\$50,000.00

Procurement Cost
\$240,420.00

Consultant Travel Required
No

Purpose of Travel	Location	Type of Expense	Cost	Duration or Distance	# of Staff	Total Cost
No Items						

Consultant Travel Total Cost
0.00

Procurement Total Cost
\$240,420.00

Additional Narrative

Upgrade Training Facilities. This purchase contract is for a contracted City vendor to retrofit 7 classrooms in the LAPD Ahmanson Recruit Training Center. This training facility is used for both recruit and in-service training classes. The cost includes retrofitting for 13 projectors, 7 podiums, 1 projection screen, 13 wireless receiver and transmitters as well as wall and ceiling mounts. Upgrade LAPD Studio. This purchase contract is for a contracted City vendor to retrofit the Training Division's Video, Online learning, and Training Technology (VOLT) Unit Studio to increase the capacity and capability of the VOLT Unit in incorporating BWC footage into the identified training modules. The cost includes 3 camera pedestal, 2 field camera with lenses, and studio lighting and equipment.

Year 2

Year 3

Other Costs

Indirect Costs