

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: October 18, 2022

CAO File No. 0220-04434-0030
Council File No. 22-1106
Council District: --

To: The Mayor
The Council

From: 
Matthew W. Szabo, City Administrative Officer

Reference: Transmittal from the Mayor dated September 21, 2022; Referred for report on September 22, 2022

Subject: **FISCAL YEAR 2021 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) ACCEPTANCE**

RECOMMENDATIONS

That the Council:

1. Authorize the Mayor, or designee, to:
 - a. Retroactively accept the Fiscal Year 2021 Edward Byrne Memorial Justice Assistance Grant (FY 2021 JAG) in the amount of \$2,692,835 for the period effective October 1, 2020 through September 30, 2024;
 - b. Negotiate and execute the Grant Award Agreement on behalf of the City of Los Angeles and submit any other necessary agreements and documents relative to the grant award, subject to the approval of the City Attorney as to form;
 - c. Execute a Subrecipient Agreement between the City of Los Angeles and the County of Los Angeles for the FY 2021 JAG for up to 45 months, for a total not to exceed \$1,211,776, subject to the approval of the City Attorney as to form;
 - d. Negotiate and execute a contract between the City of Los Angeles and the County of Los Angeles for the Community Law Enforcement and Recovery (CLEAR) Program for a term of up to 12 months, and for a total amount not to exceed \$626,711, subject to the approval of the City Attorney as to form, and upon submission of invoices and approval by the Mayor, or designee, of such invoices for JAG-related expenditures:

| <u>Account No.</u> | <u>Account Name</u> | | <u>Amount</u> |
|--------------------|----------------------|---------------|-------------------|
| 46W216 | District Attorney | \$ | 378,359 |
| 46W216 | Probation Department | | 248,352 |
| | | Total: | \$ 626,711 |

2. Approve the FY 2021 JAG budget and authorize the Mayor’s Office of Public Safety to expend the grant in accordance with the approved budget;
3. Approve a Memorandum of Understanding between the City of Los Angeles and the County of Los Angeles for the FY 2021 JAG for the period of October 1, 2020 through September 30, 2024, for a total not to exceed \$2,692,835, and authorize the Mayor, or designee, to execute the Memorandum of Understanding, subject to the approval of the City Attorney as to form;
4. Authorize the Controller to:
 - a. Create a new interest-bearing Fund titled FY 2021 Justice Assistance Grant Fund; establish a receivable in this new Fund in the amount of \$2,692,835; expend funds upon presentation of proper documentation from the Mayor’s Office; and, create new Appropriation Accounts within the new Fund No. XXX, Department No. 46, as follows:

| <u>Account No.</u> | <u>Account Name</u> | | <u>Amount</u> |
|--------------------|-----------------------------------|---------------|---------------------|
| 46W216 | CLEAR Contractual Services | \$ | 626,711 |
| 46W912 | City Attorney Grant Allocation | | 328,282 |
| 46W218 | Domestic Violence Program | | 112,296 |
| 46W146 | Mayor Salaries | | 262,594 |
| 46W299 | Related Costs | | 105,745 |
| 46W310 | Mayor’s Office and Administrative | | 1,000 |
| 46W668 | Partner Jurisdiction | | 1,211,776 |
| 46W970 | LAPD Grant Allocation | | 44,431 |
| | | Total: | \$ 2,692,835 |

- b. Transfer up to \$262,594 from FY 2021 JAG Fund No. XXX, Department No. 46, Account No. 46W146 to the Mayor’s General Fund No. 100, Department No. 46, Account No. 001020, Grant Reimbursed, for reimbursement of grant-funded personnel salaries;
 - c. Transfer up to \$105,745 from FY 2021 JAG Fund No. XXX, Department No. 46, Account No. 46W299 to the Mayor’s General Fund No. 100, Department No. 46, Revenue Source Code 5346, Related Cost Reimbursements for Grants, for reimbursement of grant-funded fringe benefits; and,
5. Authorize the Mayor, or designee, to prepare Controller instructions for any technical adjustments, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions.

SUMMARY

The Mayor's Office of Public Safety (Mayor's Office) requests authority to retroactively accept the Fiscal Year 2021 Edward Byrne Justice Assistance Grant (FY 2021 JAG) in the amount of \$2,692,835 from the Department of Justice (DOJ), Bureau of Justice Assistance (Grantor) for a grant performance period of October 1, 2020 through September 30, 2024. The early start date is due to the grant being awarded at the beginning of the Federal government's fiscal year, which spans from October 1 through September 30. There is no match requirement associated with this grant.

The FY 2021 JAG is a formula grant provided by the Federal government to provide states and local governments with funding necessary to support various criminal justice programs, including law enforcement; prosecution and court programs; prevention and education programs; corrections and community corrections; drug treatment and enforcement; crime victim and witness initiatives; and planning, evaluation, and technology improvement programs. Formula allocations are awarded by the DOJ to states and then local jurisdictions based on Part 1 violent crime statistics.

On July 21, 2021, the Grantor issued a Request for Proposals for the FY 2021 JAG Program. The City of Los Angeles submitted an application on August 9, 2021 and was awarded \$2,692,835 by the DOJ on October 12, 2021. As the grant guidelines require a joint spending plan between the City of Los Angeles and County of Los Angeles, of the \$2,692,835 awarded, an amount of \$1,481,059 will be allocated to the City with \$1,211,776 being provided to the County. The City will distribute grant funds according to the categories outlined below.

Community Law Enforcement and Recovery Program

The Community Law Enforcement and Recovery (CLEAR) Program, part of the Mayor's Gang Reduction initiative, was established by the City and County to combat gang violence in Los Angeles. The primary goal of CLEAR is to facilitate the recovery of gang-infested communities by decreasing gang crime in collaboration with the Mayor's Office of Gang Reduction and Youth Development, as well as City and County criminal justice agencies. Stakeholders include the Mayor's Office, the City Attorney's Office, the Los Angeles Police Department (LAPD), the County of Los Angeles District Attorney, and the County of Los Angeles Probation Department.

The City will allocate approximately \$954,993 to nine CLEAR program sites: Northeast, Newton, Southeast, Foothill, Southwest, Hollenbeck/Boyle Heights, Hollenbeck/Ramona Gardens, Rampart, and 77th. Accordingly, funding will be provided for nine Deputy City Attorneys in the City Attorney's Office, nine Deputy District Attorneys, and nine Deputy Probation Officers. As the Deputy District Attorney III and Deputy Probation Officer positions are County employees, the Mayor's Office requests authority to execute an agreement with the County to disburse \$626,711 in grant funds for the County personnel.

The FY 2021 JAG will provide \$328,282 to the City Attorney's Office to partially fund nine Deputy City Attorney III positions. The estimated cost of the nine positions for Fiscal Year 2022-23 is \$2,190,129, which includes \$1,266,849 in direct costs and \$923,280 in indirect costs. In addition to

FY 2021 JAG funds, funding is also provided by the FY 2018 JAG (\$45,829) and FY 2019 JAG (\$120,000). The remaining \$772,738 in salary costs, as well as \$923,280 in indirect costs will be a General Fund obligation that will be absorbed within the City Attorney's FY 2022-23 budget. Funding for LAPD personnel is already included in the LAPD's FY 2022-23 budget.

It should be noted that the City's FY 2021 JAG allocation of \$954,993 for the CLEAR program in this report differs slightly from the amount of \$954,933, as detailed in the Mayor's transmittal dated September 21, 2022. The Mayor's Office concurs with this change.

Los Angeles Police Department

The Federal Bureau of Investigation (FBI) has transitioned from the Uniform Crime Reporting (UCR) Program with a crime data reporting and collecting system known as the National Incident-Based Reporting System (NIBRS). Beginning in 2018, the Grantor required direct JAG award recipients not certified by their state as NIBRS-compliant, to dedicate three-percent of their JAG award toward achieving full compliance with the FBI's NIBRS data submission requirements.

In 2016, the LAPD began its transition to the NIBRS from the UCR in order meet the California and Federal reporting standards. Of the total City of Los Angeles' FY 2021 JAG allocation of \$1,481,059, the three-percent NIBRS spending plan allocates \$44,431 to fund software and hardware upgrades related to the NIBRS.

Family Justice Center Domestic Violence Program

The City's existing Domestic Violence Programs include the Domestic Abuse Response Teams (DART), the Sexual Assault Response Teams (SART), and the Family Justice Center (FJC). Every DART team pairs trained civilian advocates with LAPD police officers to provide immediate crisis response to reported incidents of domestic violence, and currently serves throughout LAPD's 21 geographic divisions. SART is a collaborative effort among the Mayor's Office, law enforcement, and participating hospitals to help victims access specialized sexual assault response services. Lastly, FJC operates as a one-stop resource center to ease burdens on families and help victims of the most aggravated cases involving traumatic injuries to rebuild their lives by marshaling together law enforcement, mental health, social, legal, and medical services. The Central FJC is located in the following CLEAR sites: Central, Hollenbeck/Boyle Heights, Hollenbeck/Ramona Gardens, Newton, Northeast and Rampart.

The City will allocate \$212,352 to support the FJC Domestic Violence (DV) program costs for the Mayor's Office. Funding will go towards one FJC Director and a data consultant. The FJC Director will assist in formulating DV, sexual assault, and human trafficking-related policies for the City and will work closely with City departments and community members to ensure the effectiveness of services. In addition, a data consultant will be responsible for creating a central database for DV, sexual assault, and other vulnerable population information collected by the FJC, SART, and DART partners. With the central database system, the effectiveness of the CLEAR program will be measured consistent with the JAG program goals and objectives. The FY 2021 JAG will provide

\$100,056 (\$71,138 for salaries; \$28,918 for fringe benefits) to the Mayor’s Office to fund one FJC Director position and a data consultant (\$112,296).

Grant Management and Administration

Pursuant to grant guidelines, up to 10 percent of the total award, or \$269,283, can be used to support management and administration (M&A) costs incurred by the Mayor’s Office. Of this amount, \$191,456 is allocated to salaries and \$76,827 for fringe benefits, and is \$1,000 allocated for office and administrative expenses. Management and administration costs include applying for the grant, monitoring expenditures, generating quarterly reports, conducting audits of City and County projects and expenditures, and managing disbursement and reimbursement of grant funds.

The table below presents a breakdown of the City’s FY 2021 JAG allocation.

| Cost Category | Amount |
|--|---------------------|
| Community Law Enforcement and Recovery Program (CLEAR) | |
| <i>CLEAR City Personnel</i> | \$ 328,282 |
| <i>CLEAR Contracted County Personnel</i> | 626,711 |
| CLEAR Subtotal | \$ 954,993 |
| Mayor’s Office | |
| <i>Grant Management and Administration, Program Staff (Salaries)</i> | \$ 191,456 |
| <i>Family Justice Center Domestic Violence, Program Staff (Salaries) & Data Consultant</i> | 183,434 |
| <i>Fringe Benefits</i> | 105,745 |
| <i>Administration Expenses</i> | 1,000 |
| Mayor’s Office Subtotal | \$ 481,635 |
| Los Angeles Police Department (LAPD) | |
| <i>National Incident-Based Reporting System</i> | \$ 44,431 |
| LAPD Subtotal | \$ 44,431 |
| Total | \$ 1,481,059 |

County of Los Angeles Allocation

The County will utilize its share of the grant in the amount of \$1,211,776 for the following agencies and programs: the Los Angeles County Sheriff’s Department; District Attorney SAGE: Strategies Against Gang Environments; Public Defender Alternative Sentencing Program/Psychiatric Social Worker; Probation Department; and the AB109 Re-Entry Housing Project. As the administrative agent, the Mayor’s Office will monitor these programs and expenditures and report back to the Grantor.

FISCAL IMPACT STATEMENT

Approval of the recommendations in this report will provide \$2,692,835 to the City and the County of Los Angeles for the implementation of the Fiscal Year 2021 Edward Byrne Memorial Justice

Assistance Grant program. As established through a joint spending plan, the City's allocation is approximately \$1,481,059, whereas \$1,211,776 will be provided to the County. Of the City's share, costs will be distributed as follows: \$954,993 to the Community Law Enforcement and Recovery (CLEAR) program personnel; \$481,635 to the Mayor's Office for grant management, administration, Family Justice Center Domestic Violence Program staff and data consultant, fringe benefits, and administrative expenses; and, \$44,431 to the Los Angeles Police Department to meet State and Federal crime-reporting requirements. Of the \$954,993 for the CLEAR program, \$626,711 will be appropriated for County staff, and \$328,282 will partially fund nine Deputy City Attorney positions in the City Attorney's Office. The City Attorney's Office will be required to absorb \$1,696,018 (Salaries General: \$772,738 and Related Costs: \$923,280) in unfunded General Fund obligations within available funds in its FY 2022-23 budget. There is no match requirement associated with this grant.

FINANCIAL POLICIES STATEMENT

The recommendations in this report are in compliance with the City's Financial Policies in that all grant funds will be utilized for grant-eligible activities.

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