



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Larry Esquivel
Jennifer A. Maguire

SUBJECT: SEE BELOW

DATE: September 15, 2014

Approved

Date

9/24/14

SUBJECT: ACCEPTANCE OF THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (OJJDP) FISCAL YEAR 2014-2015 INTERNET CRIMES AGAINST CHILDREN (ICAC) TASK FORCE INVITED AWARDS IN THE AMOUNT OF \$399,904 AND ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE GENERAL FUND

RECOMMENDATION

- (a) Adopt a resolution accepting the Fiscal Year 2014-2015 Internet Crimes Against Children Task Force Invited Awards in the amount of \$399,904 and authorize the City Manager to execute the Grant Agreement and all related documents and to execute additional amendments and related documents without further Council action; and
- (b) Adopt the following 2014-2015 Appropriation Ordinance and the Funding Sources Resolution amendments in the General Fund:
 - (1) Establish a new city-wide appropriation to the Police Department for the Internet Crimes Against Children Federal Grant 2014-2015 in the amount of \$399,904; and
 - (2) Increase the estimate for Revenue from Federal Government by \$399,904.

OUTCOME

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

BACKGROUND

Since 1976, commercial child pornography has grown and become more sophisticated as the technology to reproduce and distribute pornography has developed. The internet has enabled child predators to form clubs and other organizations to expand their exploitation of children. The internet provides predator's easier access to children and it allows them greater anonymity. Law enforcement very quickly recognized the danger these predators posed to children and began efforts to combat their activities. The Office of Juvenile Justice Delinquency and Prevention (OJJDP) began development of nationwide law enforcement training on child sexual exploitation in the early 1980s.

In February 2003, the San José Police Department applied for and was awarded its first ICAC grant from the United States Department of Justice (USDOJ). Since that time, the Police Department has applied for and received several ICAC continuation grants. ICAC grant funding has provided overtime, equipment, and vehicles for investigations; training of investigators; and two national ICAC conferences. Funding has also provided equipment and training for investigators from eleven Bay Area counties who participate in the Silicon Valley ICAC Task Force. Investigators from the San José Police Department, Child Exploitation Detail (CED) were instrumental in developing the first series of nationwide investigative trainings for ICAC.

In June 20, 2014, the Police Department submitted an application to the USDOJ to continue its work in the area of ICAC.

ANALYSIS

The Police Department has been awarded the FY 2014-2015 Internet Crimes Against Children Task Force Invited Awards in the amount of \$399,904. The grant term is July 1, 2014 through June 30, 2015. This grant will fund activities as they relate to the Silicon Valley ICAC program including salaries, training, supplies and equipment.

The following list provides information on the budget for the 2014 Internet Crimes Against Children Task Force Invited Awards as approved by the OJJDP. These estimates are subject to reallocation and/or change over the course of the grant term. However, the total grant amount to the City will remain the same.

1. Reimbursement to the City of San José's Police Department for overtime costs for officers and the ICAC Sergeant to support the ICAC program and its functions as well as salary, benefits, and overtime for 25% of one Analyst II position to support the ICAC program. (\$177,565)

September 15, 2014

Subject: 2014 ICAC Task Force Invited Awards Grant

Page 3

2. Reimbursement to the City of San José's Police Department for funding to support travel costs for ICAC investigators and the ICAC Sergeant to attend trainings and quarterly commander meetings directly related to ICAC functions. (\$66,396)
3. Reimbursement to the City of San José for equipment items including but not limited to: Apple Forensic computers and monitors. (\$21,000)
4. Reimbursement to the City of San José for supply items including but not limited to: hardware and software upgrades, thumb drives and XSD memory cards. (\$15,940)
5. Reimbursement to the City of San José for other costs including but not limited to: undercover mobile internet access, undercover smartphone, internet evidence finder software, Encase site license fee, forensic tool kit software, Blacklight and MacQuisition software, Cellebrite cellular phone forensic tool kit, Penlink software maintenance, and vehicle operating and maintenance. (\$119,003)

Budget Category	Budget Amount
A. Personnel & Fringe Benefits	\$177,565
B. Travel	66,396
C. Equipment	21,000
D. Supplies	15,940
E. Other	119,003
Total Project Costs	\$399,904

EVALUATION AND FOLLOW-UP

No additional City Council action is expected for this grant.

PUBLIC OUTREACH

This memorandum will be posted on the City's website for the October 7, 2014, City Council agenda.

COORDINATION

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

COST SUMMARY/IMPLICATIONS

Electronic and mechanical equipment such as computers, televisions, DVD players, and cell phones may have minor maintenance, repair or monthly service charges in the future. These expenses/equipment beyond the grant term will be absorbed in the Police Department's existing non-personal appropriation.

This project is being funded by the Office of Juvenile Justice and Delinquency Prevention. There is no cash or in-kind match requirement with this grant.

BUDGET REFERENCE

The table below identifies the fund and appropriations recommended to be amended as part of this memorandum.

Fund #	Appn. #	Appn. Name	Current Appn.	Recommended Budget Action	2014-2015 Proposed Operating Budget Page*	Last Budget Action (Date, Ord. No.)
Earned Revenue						
001	R110	Revenue from Federal Government	\$10,286,953	\$399,904	VI – 39	9/9/2014, Ord. No. 77152
Total			\$10,286,953	\$399,904		
Appropriation						
001	New	Internet Crimes Against Children Federal Grant 2014-2015	N/A	\$399,904	N/A	N/A
Total				\$399,904		

*The 2014-2015 Adopted Operating Budget was adopted on June 17, 2014.

HONORABLE MAYOR AND CITY COUNCIL

September 15, 2014

Subject: 2014 ICAC Task Force Invited Awards Grant

Page 5

CEQA

Not a Project, File No. PP10-066 (g.), Grant Agreements and MOUs.

/s/

LARRY ESQUIVEL
Chief of Police



JENNIFER A. MAGUIRE
Deputy City Manager / Budget Director

For questions please contact Lisa Perez, Division Manager, at (408) 537-1624 or Heidi York, Administrative Officer, at (408) 537-1625.

I hereby certify that there will be available for appropriation in the General Fund in the Fiscal Year 2014-2015 monies in excess of those heretofore appropriated there from, said excess being at least \$399,904.



JENNIFER A. MAGUIRE
Deputy City Manager / Budget Director