PUBLIC HEARING FOR THE 2014 JUSTICE ASSISTANCE GRANT (JAG)

RECOMMENDATION

It is recommended at the conclusion of the public hearing that the City Council adopt a resolution:
1. Approving Amendment No. 3 to the Interlocal Memorandum of Understanding between the City of Stockton and County of San Joaquin for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Award;
2. Approving the recommended use of funds ($414,923) as stated in the Justice Assistance Grant Program 2014 Funding Recommendations;
3. Approving the appropriation of grant funds upon receipt of an executed Grant Agreement; and
4. Authorizing the City Manager to execute all grant award documents as required by the United States Department of Justice Bureau of Justice Assistance.

Summary

The United States Department of Justice has announced the 2014 funding allocation for the Edward Byrne Memorial - Justice Assistance Grant (JAG) program. This year, the City of Stockton and San Joaquin County are eligible to receive a combined allocation of $414,923, with the City's allocation at $350,223 and San Joaquin County's allocation at $64,700. As mandated by the granting agency, the City and County must meet and agree to a distribution of funds. In 2011, San Joaquin County, through the San Joaquin County Sheriff's Office, Probation Department, and District Attorney's Office, and the City of Stockton, through its Police Department, entered into an Interlocal Memorandum of Understanding concerning this funding and agreed to establish a Countywide Firearms Reduction Consortium to be funded by this grant for up to three years. Representatives from the County Agencies and the Stockton Police Department met in March 2014 and agreed to recommend the renewal of the Interlocal Memorandum of Understanding for an additional three years, subject to available funding allocations through the JAG program. The proposed Amendment No. 3 to the Interlocal Memorandum of Understanding will renew the term through 2016 and allocate the 2014 funds between participating agencies. No other changes to the Agreement are recommended at this time. The granting agency requires a public hearing be held to allow for public comment and testimony on the proposed use of funds.

DISCUSSION

Background

The City of Stockton has received Justice Assistance Grant (JAG) program funds since 1997 with the specific goal of helping local government combat crime and improve public safety. Six specific law enforcement-related categories of programs are eligible for the use of these grant funds:
In 2011, following the approval of an Interlocal Memorandum of Understanding concerning the County’s and the City’s use of these grant funds, City staff and representatives from the San Joaquin County Sheriff’s Office, Probation Department, and District Attorney’s Office agreed to establish a Firearms Reduction Consortium (FRC) due to the prevalence of illegal firearms in the greater Stockton area. Given the recent fiscal struggles of both the City of Stockton and San Joaquin County, a concentrated effort to reduce firearms would be impossible without grant funding. Further, firearm reduction is so integral to fighting crime that the City and County agencies agreed to dedicate future JAG allocations, as available, toward funding the Firearms Reduction Consortium for a minimum of three years.

Two amendments to the Interlocal Memorandum of Understanding have been approved, one in June 2012, and the other in July 2013 to allocate the respective funding allocations between the members based on the allocations provided through the U.S. Department of Justice and for the purposes of continuing to operate the Firearms Reduction Consortium. In March 2014, representatives from the participating agencies met and agreed to recommend a renewal of the Interlocal Memorandum of Understanding for an additional three-year period (through 2016), provided the JAG program continues to receive congressional appropriation and allocate those funds to the jurisdictions.

**Present Situation**

The JAG is allocated on a formula based both on population and violent crime rate. Cities’ receiving a formula allocation larger than their County, referred to as disparate status, are allowed to modify the formula allocation to accommodate the jurisdiction’s particular need. Grant guidelines mandate the City and County participate in a joint planning process and agree on final funding split. For the City of Stockton and San Joaquin County, the disparate status allows the City to share in the high cost of services placed on the County District Attorney, the County jail, and the County Probation Department.

The Firearms Reduction Consortium provides funding for a contracted Firearms Examiner position, a portion of a deputy district attorney assigned to prosecute persons determined to be associated with illegal guns, and overtime staffing costs for the San Joaquin County Sheriff’s Office, Probation Department, and the Stockton Police Department in order to fund at least four proactive firearm missions each year. Also proposed for funding are annual software and equipment maintenance for the Integrated Ballistics Identification System (IBIS) housed at the Stewart/Eberhardt Building.

In addition to the four firearm missions conducted in a given year, the Firearms Examiner and IBIS equipment are available for use during any firearm investigation by Stockton Police Department, San Joaquin County Sheriff’s Office and to the surrounding region as time permits. Current and future uses of the IBIS equipment are coordinated through the Firearms Reduction Consortium, other regional partners, and with Federal agencies such as the Bureau of Alcohol, Tobacco, Firearms, and Explosives, Federal Bureau of Investigation, and the U.S. Department of Justice.
As part of the grant application, the City of Stockton and San Joaquin County must agree to distribute the funds and execute an amended Interlocal Memorandum of Understanding outlining the agreed upon funding split and other provisions associated with grant administration. For 2014, the purpose and use of the funds remains the same; therefore, an Amendment to the existing Interlocal Memorandum of Understanding (Exhibit 1 to the Resolution) is proposed.

Included in the Amendment is the Joint Spending Plan, entitled "Edward Byrne Memorial - Justice Assistance Grant Program 2014 Funding Recommendations." The plan for 2014 follows the same funding plan set forth in prior years with the City allocating its share of $212,923 to fund a contract for a Firearms Examiner, pay for overtime associated with the joint Firearms Reduction Consortium missions, and annual software and equipment maintenance costs of the IBIS. The County will spend its $202,000 on overtime costs associated with joint Firearms Reduction Consortium missions and on firearms prosecution.

Publication

The notice for this public hearing was published in The Record on Friday, May 30, 2014.

FINANCIAL SUMMARY

The combined 2014 JAG Allocation is $414,923 for Stockton and San Joaquin County and must be used within 36 months. The grant does not require a local funding match. For grant tracking and auditing purposes, Police Grants and Special Programs account number, 025-6455 will be used for the 2014-15 Justice Assistant Grant. As described above, a revenue appropriation in the amount of $414,923 is needed in Account No. 025-6455-331 and expenditure appropriation in the amount of $414,923 with $202,000 allocated to San Joaquin County and the remaining $212,923 to the City of Stockton.