



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Anthony Mata
Jim Shannon

SUBJECT: SEE BELOW

DATE: April 8, 2021

Approved

Date

04/08/21

SUBJECT: ACCEPTANCE OF THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CAL OES) FISCAL YEAR 2020 INTERNET CRIMES AGAINST CHILDREN (ICAC) AWARD IN THE AMOUNT OF \$950,000 AND ADOPTION OF 2020-2021 APPROPRIATION AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE GENERAL FUND

RECOMMENDATION

- (a) Adopt a resolution accepting the Fiscal Year 2020 Internet Crimes Against Children Task Force Award in the amount of \$950,000 and authorizing the City Manager to execute the Grant Agreement and to execute additional amendments and all related documents, including online certificates at time of reimbursement request, without further City Council action.
- (b) Adopt the following 2020-2021 Appropriation Ordinance and Funding Sources Resolution Amendments in the General Fund:
 - (1) Establish a City-Wide Expenses appropriation to the Police Department for the Internet Crimes Against Children State Grant 2020-2021 in the amount of \$834,200; and
 - (2) Increase the estimate for Revenue from State of California by \$834,200.

OUTCOME

The Council's approval of this recommendation will provide continued funding for the Internet Crimes Against Children (ICAC) Task Force to 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 predators easier access to children and it allows them greater anonymity. Law enforcement very quickly recognized the danger these predators posed to children and began efforts to combat their activities.

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 the 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.

The San José Police Department's ICAC Task Force received the first California Governor's Office of Emergency Services (Cal OES) Internet Crimes Against Children grant award in 2007 to aid in meeting the objectives outlined above. On October 23, 2020, the Police Department submitted an application to the Cal OES to continue its work in the area of ICAC. On March 19, 2021, the Police Department was awarded \$950,000.

ANALYSIS

The Police Department has received an award for the Fiscal Year 2020 Internet Crimes Against Children Task Force Award in the amount of \$950,000. Although the grant award notification was received on March 19, 2021, the grant term is January 1, 2020 through December 31, 2021. This grant will fund activities as they relate to the Silicon Valley Internet Crimes Against Children program including operating supplies, equipment, and forensic vehicles.

The following list provides information on the budget for the 2020 Internet Crimes Against Children Task Force Award as approved by Cal OES. 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 personal services costs of \$163,898, including but not limited to: funding for a digital forensic analyst and Community Service Officers (CSO) overtime to help with community education, such as the Vigilant Parent program.
2. Reimbursement to the City of San José's Police Department for operating costs of \$145,308, including but not limited to: forensic software licenses and training, memory

and drives for data storage, forensic laptops, utility carts, cell phone booster and cell phone charging locker, industrial cabinet and evidence cage, and supplies, services, and software for the Vigilant Parent program.

3. Reimbursement to the City of San José for equipment costs of \$640,794: forensic computer, laptop, software licenses, and hardware supplies (\$520,643); investigator cold towers and forensic towers (\$87,560); digital audio system (\$12,591); and one undercover operations vehicle (\$20,000).

Budget Category	Budget Amount
A. Personal Expenses	163,898
B. Operating Expenses	145,308
C. Equipment	640,794
Total Project Costs	\$950,000

EVALUATION AND FOLLOW-UP

Of this \$950,000 reimbursable grant, \$834,200 is recommended for allocation in 2020-2021 based on planned expenditures and reimbursements prior to the end of the fiscal year. The Administration will bring forward subsequent adjustments for 2021-2022 to recognize and appropriate the remaining funds from this grant award in the total amount of \$115,800.

PUBLIC OUTREACH/INTEREST

This memorandum will be posted on the City's website for the April 20, 2021 City Council meeting.

COORDINATION

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

COMMISSION RECOMMENDATION/INPUT

There was no commission recommendation or input.

COST SUMMARY/IMPLICATIONS

Forensic tools may have minor future maintenance, repair, or monthly service charges, and the undercover operations vehicle will have an estimated annual ongoing maintenance cost of \$5,000. However, there is no obligation for the City to sustain these services beyond the term of

the grant. Resulting costs are expected to be absorbed in the Police Department's existing non-personal/equipment base budget.

This project is being funded by the California Governor's Office of Emergency Services and 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	Operating Budget Page	Last Budget Action (Date, Ord. No.)
001	R100	Revenue from State Government	\$15,137,455	\$834,200	III-1	2/9/2021 Ord. No. 79889
001	New	Internet Crimes Against Children State Grant 2020-2021	N/A	\$834,200	N/A	N/A


CEQA

Not a Project, File No. PP17-004, Government Funding Mechanism or Fiscal Activity with no commitment to a specific project which may result in a potentially significant physical impact on the environment, and File No. PP17-006, Grant Application with no commitment or obligation to enter into an agreement at the time of application.

/s/
ANTHONY MATA
Chief of Police


JIM SHANNON
Budget Director

I hereby certify that there will be available for appropriation in the General Fund in the Fiscal Year 2020-2021 moneys in excess of those heretofore appropriated there from, said excess being at least \$834,200.


JIM SHANNON
Budget Director

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