



AGENDA REPORT

Meeting Date: July 7, 2009
Item Number: G-6
To: Honorable Mayor & City Council
From: David L. Snowden
Subject: **RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS
APPLYING FOR THE FY 2009 EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT PROGRAM**

Attachments:

1. Resolution
2. Grant Program and Budget Narrative

RECOMMENDATION

It is recommended that the City Council adopt the resolution authorizing the City Manager to negotiate the terms of and execute a memorandum of understanding (MOU) with the City of Los Angeles and apply for the FY 2009 Edward Byrne Memorial Justice Assistance Grant program.

INTRODUCTION

The Edward Byrne Memorial Justice Assistance Grant (JAG) program is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives. Established to streamline justice funding and grant administration, the JAG Program allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions.

DISCUSSION

The City has received a \$16,425 formula allocation from the Bureau of Justice Assistance's (BJA) for the FY2009 JAG program. The resolution before the City Council allows the Police Department to submit an application for these funds and, if awarded, fund the analysis of additional DNA evidence. The analysis of DNA evidence will be used by investigators to identify suspects and solve crimes.

For purposes of the JAG program, and with the input of the state's Attorney General, BJA has determined that the City is part of the Los Angeles county disparate allocation region along with 59 other jurisdictions. This disparate allocation occurs because the cities of Los Angeles county are collectively eligible to receive four times more than the County of Los Angeles. Per BJA guidelines, disparate allocation regions must identify a fiscal agent and submit a joint application for JAG funds. Additionally, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant and fiscal agent for joint funds must be completed and signed by the Authorized Representative for each participating jurisdiction. The City of Los Angeles has been designated as the applicant and fiscal agent for the Los Angeles County region.

FISCAL IMPACT

While the City has received a \$16,425 formula allocation from BJA, this amount is subject to a 7% reduction for administrative costs that have been imposed by the City of Los Angeles for serving as the grant's fiscal agent. The net award to the City is anticipated to total \$15,275. If awarded, an appropriation for \$15,275 will be requested to fund additional DNA analysis. The City will be reimbursed by the City of Los Angeles for authorized grant expenditures.



Scott G. Miller, Director
Finance Approval



David L. Snowden, Chief of Police
Police Approval

Attachment 1

Resolution

RESOLUTION NO. 09-R-

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPLYING FOR THE FY 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

The Council of the City of Beverly Hills does hereby resolve as follows:

Section 1. The Bureau of Justice Assistance (BJA) administers the Edward Byrne Memorial Justice Assistance Grant program.

Section 2. The City of Los Angeles has been designated as the Los Angeles county region's fiscal agent for the Fiscal Year 2009 Edward Byrne Memorial Justice Assistance Grant program.

Section 3. The City Manager is authorized and directed to execute a memorandum of understanding with the City of Los Angeles to apply for the FY 2009 Edward Byrne Memorial Justice Assistance Grant program.

Section 4. The City hereby appoints the City Manager or his designee as agent of the City of Beverly Hills to apply for and accept a grant from BJA, and to execute and submit all documents including, but not limited to, applications, agreements, amendments, and payment requests, which may be necessary for administration of the Grant.

Section 5. The City Clerk shall certify to the adoption of the Resolution and shall cause the Resolution and his certification to be entered in the Book of Resolutions of the Council of the City.

Adopted:

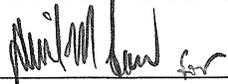
NANCY KRASNE
Mayor of the City of
Beverly Hills, California

ATTEST:

_____(SEAL)
BYRON POPE
City Clerk

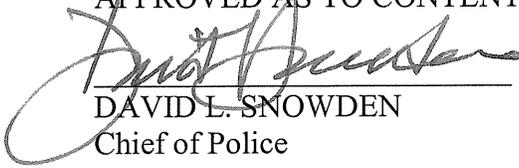
[Signatures continue]

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:



DAVID L. SNOWDEN
Chief of Police

Attachment 2

Grant Program and Budget Narrative

City of Beverly Hills - Police Department

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM –
FY 2009 LOCAL SOLICITATION**

PROGRAM NARRATIVE

SUMMARY OF PROPOSED PROGRAM ACTIVITIES

The City of Beverly Hills proposes to fund the analysis of additional DNA evidence with the \$15,275 it has been allocated by the 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This DNA analysis will be used to provide for the presentation of scientific evidence in serious criminal cases. The project period will begin on October 1, 2009 and will end on September 30, 2012.

BRIEF ANALYSIS – NEED FOR PROGRAM

The Beverly Hills Police Department (BHPD) currently contracts with and routinely submits DNA evidence obtained from major crimes against persons cases (including homicides and sexual assaults) to the Orange County Sheriff's Department for analysis. However, budget limitations have prevented BHPD from submitting DNA evidence for analysis in other serious criminal cases and consequently have prevented it solving and/or successfully prosecuting suspects in these crimes. With additional funding, BHPD would be able to submit more DNA evidence for analysis and thereby will be able to identify more suspects and solve more crimes.

An increase in sexual assault and violent assault cases has occurred in the City of Beverly Hills wherein DNA evidence was crucial to successful prosecution. Based on the current trends and the impact of the nation's economic downturn on the emotional

stability of the populace as a whole, it is anticipated that BHPD will need to submit even more samples for DNA testing in the coming years. Additionally, BHPD recently investigated two major burglary cases in which suspects were arrested and DNA evidence proved crucial in connecting them to the crime scenes.

Perhaps the most beneficial reason for increasing BHPD's funding for analysis and enabling it to test more DNA evidence is the newest implementation phase of California's Proposition 69. Effective January 1, 2009, this law dramatically increased the number of people who are required to submit DNA samples to the State of California's database. Essentially all suspects who are arrested for felony offenses are required to submit buccal DNA samples. In contrast, the previous provisions called for testing for only certain specified offenses and in some cases required conviction as a condition for imposing sampling. With the large influx of DNA samples that is resulting from the implementation of this new phase of the law, the likelihood of successfully matching suspects to their crimes has increased significantly. By submitting more of its DNA evidence for analysis, BHPD will be more successful at solving crimes and prosecuting cases.

ANTICIPATED COORDINATION EFFORTS INVOLVING JAG AND RELATED JUSTICE FUNDS

The City of Beverly Hills will utilize the FY 2009 JAG funds to increase its ability to analyze DNA evidence and solve crimes. The City has also applied for the Recovery Act's Edward Byrne Memorial Competitive Grant Program to fund a Crime Analyst position to further assist BHPD in the identification and apprehension of crime suspects.

Should the opportunity arise, the City would apply for other Department of Justice grants that would further expand its ability to solve crimes.

Timeline

Task	Year	Month
Finalize Grant Award and Contractual Matters	1	3
Set Up Internal Grant Accounting and Tracking	1	3
Quarterly Reporting	1	3
Submit DNA Evidence for Analysis – Start	1	4
Quarterly Reporting	1	6
Quarterly Reporting	1	9
Quarterly Reporting	1	12
Quarterly Reporting	2	3
Quarterly Reporting	2	6
Quarterly Reporting	2	9
Quarterly Reporting	2	12
Quarterly Reporting	3	3
Quarterly Reporting	3	6
Quarterly Reporting	3	9
Submit DNA Evidence for Analysis – End	3	12
Submit Final Report and Evaluation to BJA	3	12

City of Beverly Hills - Police Department

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM –
FY 2009 LOCAL SOLICITATION**

BUDGET AND BUDGET NARRATIVE

BUDGET

G. Consultants/Contracts

Consultant Fees

Name of Consultant	Service Provided	Computation	Total
Orange County Sheriff's Department	DNA Analysis	\$148.89 per hours X 102.59 hours	\$15,275.00

Budget Summary

Budget Category	Total
G. Consultants/Contracts	\$15,275.00
Total Project Costs	\$15,275.00
Total Federal Funds Request	\$15,275.00

BUDGET NARRATIVE

G. Consultants/Contracts

The City of Beverly Hills will follow its formal, written procurement policy to hire a consultant to provide DNA analysis services. This consultant will assist sworn law enforcement personnel in the identification of crime suspects. Currently, the consultant charges \$148.89 per hour for DNA analysis. FY 2009 JAG funding will provide \$15,275 for these consulting services.