



## AGENDA REPORT

**Meeting Date:** July 7, 2011  
**Item Number:** F-5  
**To:** Honorable Mayor & City Council  
**From:** David L. Snowden  
**Subject:** **A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AUTHORIZING AN APPLICATION TO THE FY 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM**

**Attachments:**

1. Resolution
2. Grant Application

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### RECOMMENDATION

It is recommended that the City Council adopt a resolution authorizing an application to the FY 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) 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 an \$11,010 formula allocation from the Bureau of Justice Assistance's (BJA) for the FY 2011 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.

**FISCAL IMPACT**

The City has received a \$11,010 formula allocation from BJA. This action requests the award of the allocated funds. If awarded, an appropriation for \$11,010 will be requested to fund DNA analysis. The City will be reimbursed by the United States Department of Justice for authorized grant expenditures.



Scott G. Miller, Director

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Finance Approval



David L. Snowden, Chief of Police

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Police Approval

# **Attachment 1**

RESOLUTION NO. 11-R-

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS  
AUTHORIZING AN APPLICATION TO THE FY 2011 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 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 3. 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:

\_\_\_\_\_  
BARRY BRUCKER  
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:

\_\_\_\_\_  
JEFFREY C. KOLIN  
City Manager



SCOTT G. MILLER  
Director of Administrative Services/  
Chief Financial Officer



DAVID L. SNOWDEN  
Chief of Police

# **Attachment 2**

City of Beverly Hills - Police Department

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM –  
FY 2011 LOCAL SOLICITATION**

**PROGRAM NARRATIVE  
(Attachment 1)**

**SUMMARY OF PROPOSED PROGRAM ACTIVITIES**

The City of Beverly Hills proposes to fund the analysis of additional DNA evidence with the \$11,010 it has been allocated by the 2011 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, 2011 and will end on September 30, 2014.

**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.

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 2011 JAG funds to increase its ability to analyze DNA evidence and solve crimes. The City has also been awarded a grant from the FY 2009 and 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Programs to fund the analysis of additional DNA evidence. Should the opportunity arise, the City would apply for other Department of Justice grants that would further expand its ability to analyze DNA evidence to solve crimes.

Timeline

<b>Task</b>	<b>Year</b>	<b>Month</b>
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 2011 LOCAL SOLICITATION**

**BUDGET AND BUDGET NARRATIVE**  
(Attachment 2)

**BUDGET**

G. Consultants/Contracts

**Consultant Fees**

<b>Name of Consultant</b>	<b>Service Provided</b>	<b>Computation</b>	<b>Total</b>
Orange County Sheriff's Department	DNA Analysis	\$148.89 per hour X 73.95 hours	\$11,010

Budget Summary

<b>Budget Category</b>	<b>Total</b>
G. Consultants/Contracts	\$11,010
Total Project Costs	\$11,010
Total Federal Funds Request	\$11,010

**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 2010 JAG funding will provide \$11,010 for these consulting services.

City of Beverly Hills Police Department

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM  
FY 2011**

REVIEW NARRATIVE  
(Attachment 3)

The governing body of the City of Beverly Hills is the City Council. The City Council was provided with a copy of the JAG program application on June 16, 2011 and reviewed the application at its July 7, 2011 meeting and provided an opportunity for public comment by citizens and neighborhood or community organizations. The City's proposed use of the funds was also posted on the City's website. Citizens and neighborhood or community organizations were informed of their opportunities to comment in person at the July 7, 2011 City Council meeting, via email by submitting comments to the Police Department Webmaster, or via U.S. Mail by submitting comments to the Police Department Grant Coordinator.

City of Beverly Hills Police Department

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM  
FY 2011**

**ABSTRACT  
(Attachment 4)**

Applicant Name: City of Beverly Hills  
Project Title: Additional DNA Analysis  
Project Identifier: DNA Analysis

The City of Beverly Hills proposes to fund the analysis of additional DNA evidence with the \$11,010 it has been allocated by the 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program. DNA evidence has proven to be instrumental in the successful prosecution of the rising number sexual assault and violent assault cases that have occurred in the City of Beverly Hills. Based on the current trends, the impact of the nation's economic downturn on the emotional stability of the populace as a whole, and the ever-growing database of DNA samples in California, it is anticipated that the City will need to submit even more samples for DNA testing in the coming years. This DNA analysis will used to provide for the presentation of scientific evidence in serious criminal cases. The project period will begin on October 1, 2011 and will end on September 30, 2014.

<b>APPLICATION FOR FEDERAL ASSISTANCE</b>	2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION  Application Non-Construction	3. DATE RECEIVED BY STATE	State Application Identifier
	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
<b>5. APPLICANT INFORMATION</b>		
Legal Name  CITY OF BEVERLY HILLS	Organizational Unit  POLICE DEPARTMENT	
Address  455 N REXFORD DR BEVERLY HILLS, California 90210-4857	Name and telephone number of the person to be contacted on matters involving this application  LEE, ERICK (310) 285-2185	
6. EMPLOYER IDENTIFICATION NUMBER (EIN)  95-6000678	7. TYPE OF APPLICANT  Municipal	
8. TYPE OF APPLICATION  New	9. NAME OF FEDERAL AGENCY  Bureau of Justice Assistance	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE  NUMBER: 16.738 CFDA EDWARD BYRNE MEMORIAL JUSTICE TITLE: ASSISTANCE GRANT PROGRAM	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT  Additional DNA Analysis	
12. AREAS AFFECTED BY PROJECT  City of Beverly Hills		
13. PROPOSED PROJECT Start Date: October 01, 2011 End Date: September 30, 2014	14. CONGRESSIONAL DISTRICTS OF  a. Applicant b. Project CA30	
15. ESTIMATED FUNDING	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?  Program has not been selected by state for review	
Federal	\$11,010	
Applicant	\$0	
State	\$0	
Local	\$0	

Other	\$0	
Program Income	\$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
TOTAL	\$11,010	N
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.		

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