

COUNCIL ACTION FORM

SUBJECT: 2017 U.S. DEPARTMENT OF JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

BACKGROUND:

On September 26, 2017, the Council authorized the Police Department to apply for the 2017 Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant (JAG) Program. The grant conditions required that the application be filed jointly with Story County and the Council approved entering into a Memorandum of Understanding with Story County. The application and the Memorandum of Understanding were completed and submitted. **It was not until late June, 2018, that the Department of Justice notified the Police Department that the grant had been awarded in full.**

Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, as well as research and evaluation activities that will improve or enhance law enforcement programs related to criminal justice. There is no match requirement with this grant.

The grant award is for \$11,119. The funds will be used to enhance the capabilities and expertise in mental health and wellness.

The conditions of this year's grant require that the City certify that there is no conflict between the City's actions and federal policies as established by 8 U.S.C. section 1373 (Communication between government agencies and the Immigration and Naturalization Service). In general, 8 U.S.C. section 1373 provides that provisions of local law may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual. The certification requires that the City Attorney review the provisions of 8 U.S.C. section 1373 at attest to the following statement:

As of the date of this certification, neither the jurisdiction nor any entity, agency or official of the jurisdiction has in effect, purports to have in effect, or is subject to or bound by, any prohibition or any restriction that would apply to the "program or activity" to be funded in whole or in part under the FY 2017 OJP Program (which for purposes of this paragraph 6, shall not be understood to include any such "program or activity" of any subrecipient at any tier) and deals with either – (1) a government

entity or official sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. section 1373(a); or (2) a government entity or agency sending to, requesting from, maintaining, or exchanging information of the types (and with respect to the entities) described in 8 U.S.C. section 1373(b).

The City Attorney has reviewed this issue and has determined that no conflict exists.

There is no match requirement with this grant.

ALTERNATIVES:

1. Accept the 2017 Department of Justice, Office of Justice Programs, and Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant Program and authorize the Police Department to participate in the program.
2. Do not authorize participation in this grant program.

MANAGER'S RECOMMENDED ACTION:

The Police Department has participated in the JAG grant program in the past and the program has proven to be a valuable source of funds for special purchases and programs. This grant will provide the same benefit.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1 as stated above.