



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Anthony Mata
Jim Shannon

SUBJECT: SEE BELOW

DATE: December 18, 2023

| | |
|---|----------|
| Approved | Date |
|  | 12/18/23 |

SUBJECT: ACTIONS RELATED TO THE 2023 CALIFORNIA GOVERNOR’S OFFICE OF EMERGENCY SERVICES INTERNET CRIMES AGAINST CHILDREN TASK FORCE GRANT

RECOMMENDATION

- (a) Adopt a resolution accepting the 2023 California Governor’s Office of Emergency Services Internet Crimes Against Children Task Force Grant in the amount of \$950,000; and authorizing the City Manager, or her designee, to execute the Grant Agreement and execute additional amendments and all related documents, including online certifications at time of award acceptance and reimbursement requests, without further City Council action.
- (b) Adopt the following 2023-2024 Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:
 - (1) Establish the 2023-2024 Internet Crimes Against Children State Grant City-Wide Expenses appropriation to the Police Department in the amount of \$833,940; and
 - (2) Increase the estimate for Revenue from State of California by \$833,940.

SUMMARY AND OUTCOME

Approval of this recommendation provides continued grant funding for the Internet Crimes Against Children (ICAC) Task Force in the total amount of \$950,000 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 provided predators easier access to children with greater anonymity and has enabled child predators to

form clubs and other organizations to expand their exploitation of children. 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. Since that time, the Police Department has applied for and received numerous ICAC continuation grants. ICAC grant funding has provided overtime, equipment, vehicles for investigations, and training, including the national ICAC conferences. Funding has also provided equipment and training for investigators from 11 Bay Area counties participating in the Silicon Valley ICAC Task Force. Investigators from the San José Police Department Child Exploitation Detail 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) ICAC grant award in 2007 to aid in meeting the program objectives.

In June 2023, the Cal OES released a grant solicitation for Fiscal Year (FY) 2023 ICAC Task Force Grant Program and the Police Department submitted a grant application proposal. On November 16, 2023, the application was accepted and approved in the amount of \$950,000. This is a one-year reimbursable grant and the Police Department will be responsible to ensure the expenditures are allowable as set forth in the Cal OES Financial Handbook and City Policy and Procedures.

ANALYSIS

The Police Department has been awarded \$950,000 for the 2023 ICAC Task Force Grant Program. The grant term is January 1, 2024 through December 31, 2024. This grant will fund activities as they relate to the Silicon Valley ICAC program, including personnel cost, operating supplies, software licenses, equipment, undercover vehicles, and the Vigilant Parent program that provides online safety training for parents to recognize signs when a child may potentially be in danger online and how to keep their children safe on the internet.

The following list provides information on the project budget for the 2023 ICAC Task Force Grant 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. \$232,121 of the funds will be used for personal services costs to support a digital Forensic Analyst position. In addition, funds will be used for Community Service Officers' overtime to assist in facilitating the Vigilant Parent program.
2. \$297,380 of the funds will be utilized for operating costs that include, but are not limited to, forensic analytical tools, training, and supplies for task force operations.

3. \$420,499 of the funds will be utilized for equipment costs that include, but are not limited to, software license renewals, evidence processing equipment, and two undercover operations vehicles.

The below table lists the funding amounts for personal expenses, operating expenses, and equipment for the grant year, January 1, 2024, to December 31, 2024.

| Budget Category | FY: 2023-2024 | FY: 2024-2025 | Total |
|--|----------------------|----------------------|------------------|
| A. Personal Expenses | \$116,061 | \$116,060 | \$232,121 |
| B. Operating Expenses | \$297,380 | \$0 | \$297,380 |
| C. Equipment | \$420,499 | \$0 | \$420,499 |
| Total City Appropriation by Fiscal Year | \$833,940 | \$116,060* | \$950,000 |

**Recommendations to recognize and appropriate \$116,060 of this grant will be brought forward for City Council approval as part of the development of the 2024-2025 Operating Budget.*

EVALUATION AND FOLLOW-UP

This memorandum will not require any staff follow up.

COST SUMMARY/IMPLICATIONS

The recommended actions in this memorandum will recognize and appropriate \$833,940 of the \$950,000 ICAC state grant and will provide funding for personal services costs, operating costs, and the purchase of equipment. Forensic tools and vehicles may have minor future maintenance, repair, or monthly service charges. These costs are expected to be absorbed in the Police Department’s existing non-personal/equipment budget.

This project is being funded by Cal OES 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 | 2023-2024 Adopted Operating Budget Page | Last Budget Action (Date, Ord. No.) |
|--------|---------|--|---------------|---------------------------|---|-------------------------------------|
| 001 | R100 | Revenue from State of California | \$37,819,465 | \$833,940 | 162 | 10/24/2023 Ord. No. 23-377 |
| 001 | New | 2023-2024 Internet Crimes Against Children State Grant | N/A | \$833,940 | N/A | N/A |

COORDINATION

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

PUBLIC OUTREACH

This memorandum will be posted on the City Council Agenda website for the January 9, 2024 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

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.

HONORABLE MAYOR AND CITY COUNCIL

December 18, 2023

Subject: Actions Related to the 2023 California Governor's Office of Emergency Services Internet Crimes Against Children Task Force Grant

Page 5

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/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 2023-2024 moneys in excess of those heretofore appropriated there from, said excess being at least \$833,940.



JIM SHANNON
Budget Director

For questions, please contact Lisa Perez, Division Manager, San José Police Department, at (408) 537-1624 or Jennifer Otani, Administrative Officer, San José Police Department, at (408) 537-1625.