



*Dennis Graham
Chief of Police*

Date: July 27, 2009
To: Chief Dennis Graham
From: Lieutenant Henry Kwong 
Subject: **American Recovery and Reinvestment Act (ARRA)
Edward Byrne Justice Assistance Grant (JAG)**

ISSUE:

How to spend the 2009 American Recovery and Reinvestment Act (ARRA) Edward Byrne Justice Assistance Grant (JAG) allocation of \$73,137.00?

BACKGROUND:

On February 17, 2009, President Barack Obama signed into law the American Recovery and Reinvestment Act (ARRA) of 2009, Public Law 111-5 (the "Recovery Act"). The Act includes almost \$2 billion in critical resources for state and local law enforcement activities through the Justice Assistance Grant (JAG) program.

On April 21, 2009, the County of Santa Clara agreed to coordinate a joint application among several law enforcement agencies in the County, including the Milpitas Police Department, and the joint application was submitted to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, on May 18, 2009.

On June 9, 2009, the joint application was approved, and the grant was awarded (Project # 2009-SB-B9-0976). The portion of the grant allocated to the Milpitas Police Department is \$73,137.00, and a draft resolution to formally accept the grant has been prepared for the City Council Meeting on August 4, 2009.

DISCUSSION:

The grant does not require matching funds, but it does require strict adherence to timely reporting requirements and the establishment of a separate trust fund to track all expenditures. The grant is intended to enhance the front-line delivery of services through existing programs by obtaining the necessary equipment.

The proposed ten (10) grant expenditures are as follows:

1. License Plate Reader (LPR) System	1 unit x \$24,000 each	\$24,000
2. Tasers	14 units x \$1,400 each	\$19,600
3. Taser Cartridges	150 units x \$23.00 each	\$3,450
4. AR-15 Rifles	2 units x \$2,400 each	\$4,800
5. Complete Set for a Bicycle Officer**	1 set x \$4,762.00 each	\$4,762
6. Media Duplication Equipment	1 unit x \$9,200 each	\$9,200
7. Mobile Digital Video Recorder (DVR)	1 unit x \$3,000 each	\$3,000
8. GPS Tracker Batteries	2 units x 1,000.00 each	\$2,000
9. Automated External Defibrillator (AED)	1 unit x \$1,225 each	\$1,225
10. Preliminary Alcohol Screening (PAS) Devices	2 units x \$550 each	\$1,100
	TOTAL:	\$73,137

(The costs are based on vendor quotes and include applicable sales taxes.)

1. License Plate Reader (LPR) System (\$24,000):

The Milpitas Police Department currently has two vehicle-mounted LPR systems in use. The LPR systems use technology to have cameras read license plates and automatically conduct computer checks to determine if the license plate is associated to a stolen vehicle, a wanted vehicle, or other vehicle of special interest. Officers can also manually enter the license plate numbers of vehicles under current investigation but do not meet the requirements for entry into the state and national databases for wanted vehicles. Officers have also used the LPR systems to track the vehicles of registered sex offenders. In the two years that the Milpitas Police Department has used the LPR systems, we have recovered about sixty (60) wanted vehicles, including the recovery of a vehicle that led to the arrest of a homicide suspect. The addition of another LPR system would enable more officers to use the technology.

2. Tasers (14 units x \$1,400 each = \$19,600):

The Milpitas Police Department currently uses the Taser X26 with the Taser Cam. Although the most obvious advantage of having Tasers available is as an alternate level of force, the Taser Cam has greatly enabled us to objectively determine the circumstances under which the Taser was deployed. It has helped us identify training issues and address the potential use of force concerns. Because of our limited inventory of Tasers, officers currently share a pool of Tasers. In order to ensure that every uniformed officer always has a Taser available, we would like to individually issue one to each officer. The addition of fourteen (14) Tasers will enable us to reach the goal.

3. Taser Cartridges (150 units x \$23 each = \$3,450):

The Tasers in our inventory utilize Taser Cartridges, which have a five (5) year warranty. The technology of Taser cartridges has also improved in the last five years. The addition of one hundred fifty (150) Taser Cartridges will enable us to replace our existing inventory that is expiring and enable us to continue practical training and qualifications in order to maintain proficiency.

4. AR-15 Rifles (2 units x \$2,400 each = \$4,800):

Although the majority of our officers in Patrol Services have an assigned AR-15 rifle as a part of their regularly issued equipment, there are not enough rifles to equip every officer. The remaining officers share a pool of unassigned rifles. Due the nature of the rifle's sighting system, it would be more prudent to individually issue a rifle to each officer in order for the officer to become more proficient with it and to maintain the accuracy of the sighting system. The addition of two AR-15 rifles and the necessary accoutrements will enable us to get closer to the goal of every officer having his or her designated rifle. The estimated cost for each rifle includes the necessary accoutrements, such as lights, slings, advanced sighting systems, protective cases, and high-capacity magazines.

5. Complete Set for a Bicycle Officer (\$4,762):

The Milpitas Police Department Bicycle Officer Program compliments our Community Oriented Policing strategies by enabling officers to have closer interactions while maintaining efficiency. Bicycle officers are able to patrol their assigned beats in a manner that supplements officers in vehicles and officers on foot patrol. Bicycle officers are called upon to assist with assignments that involve large pedestrian crowds, such as at a large regional shopping mall and with special community events. Additional equipment and training will enable us to expand the Bicycle Officer Program with an existing officer. The Complete Set for a Bicycle Officer [\$4,762] includes training expenses (including tuition, lodging, travel, etc.) [\$1,462] and equipment [\$3,300].

6. Media Duplication Equipment (\$9,200):

The Milpitas Police Department Property Clerk receives discovery requests from the District Attorney's Office for copies of audiotapes, videotapes, compact discs, and digital video discs compiled in criminal investigations. Officers also gather such evidence for non-criminal matters, such as in the cases of traffic collision investigations at intersections where there are digital surveillance cameras. As technology has grown, the use of such evidence has grown exponentially, and the requests for copies of such evidence by relevant parties have grown tremendously as well. In order to keep up with the demand, a comprehensive system of Media Duplication Equipment that can work in multiple formats will enable our Property Clerk to properly respond to requests for copies of the materials. The proposed equipment includes a video distribution amplification rack, video players in multiple formats, and high quality monitors.

7. Mobile Digital Video Recorder (DVR) (\$3,000):

The Milpitas Police Department utilizes a variety of digital surveillance cameras for covert and non-covert operations. The operations range in duration, and one of the challenges is to capture all of the necessary footage without the need to manipulate the cameras once they are in place. The purchase of a Mobile Digital Video Recorder (DVR) will enable officers and detectives to capture the footage over an extended period of time without the need to disturb the cameras and to subsequently preserve the footage as evidence.

8. GPS Tracker Batteries (2 units x \$1,000 each = \$2,000):

The Milpitas Police Department has two GPS Tracker devices used for covert surveillance of vehicles and other equipment. The devices are powered by traditional lithium batteries and are often used for extended periods of time. Although the current power method is suitable for most applications, there are some applications that require a separate covert operation to exchange the batteries while the GPS tracker is still mobilized in order to prevent a loss of power. The purchase of rechargeable specialty batteries that can hold a charge for a longer period of time would enable the GPS Tracker devices to operate for longer periods and eliminate the need to exchange the batteries while deployed.

9. Automated External Defibrillator (AED) (\$1,225):

The Milpitas Police Department trains every officer in the proper use of an Automated External Defibrillator (AED) in conjunction with first aid and CPR training. The device is intended to supplement the life saving abilities of first responders by diagnosing the potentially life threatening cardiac arrhythmias of ventricular fibrillation and ventricular tachycardia in a patient. An AED is able to treat them through defibrillation, the application of electrical therapy, which stops the arrhythmia, allowing the heart to reestablish an effective rhythm. We currently have an AED stationed near the public lobby of the Police Department and an AED stationed near the Police Department substation, which is located in a large regional shopping mall. An additional AED stationed in the prisoner processing area of the Police Department would enable officers to more effectively treat prisoners should the need arise.

10. Preliminary Alcohol Screening (PAS) Devices (2 units x \$550 each = \$1,100):

The Milpitas Police Department currently utilizes Preliminary Alcohol Screening (PAS) devices for alcohol related investigations, such as Driving Under the Influence (DUI), underage drinking, and public intoxication. The devices enable an officer to obtain an objective measure of a subject's blood alcohol concentration as a potential alcohol intoxication indicator to supplement the officer's own observations and the subject's performance of other field sobriety tests. The use of a PAS device is also mandated for drivers who are suspected of underage drinking. The purchase of two (2) additional PAS devices will enable more officers in the field to have access to the valuable tool.

RECOMMENDATION:

Approve the grant expenditures as described above.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS TO ACCEPT THE AMERICAN RECOVERY AND REINVESTMENT ACT EDWARD BYRNE JUSTICE ASSISTANCE GRANT ADMINISTERED BY THE COUNTY OF SANTA CLARA

WHEREAS, on February 17, 2009, President Barack Obama signed into law the American Recovery and Reinvestment Act (ARRA) of 2009, Public Law 111-5 (the "Recovery Act"). The Act includes almost \$2 billion in critical resources for state and local law enforcement activities through the Justice Assistance Grant (JAG) program; and

WHEREAS, on April 21, 2009, the County of Santa Clara agreed to coordinate a joint application among several law enforcement agencies in the County, including the Milpitas Police Department, and the joint application for the Justice Assistance Grant was submitted to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, on May 18, 2009; and

WHEREAS, on June 9, 2009, the joint application was approved and the Grant was awarded (Project # 2009-SB-B9-0976). The portion of the Grant allocated to the Milpitas Police Department is \$73,137.00, which is intended to enhance the front-line delivery of services through existing programs by obtaining the necessary equipment, such as a License Plate Reader (LPR) system, Tasers, AR-15 rifles, one complete set of bicycle officer equipment, and other high-technology equipment.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Council accepts the American Recovery and Reinvestment Act Edward Byrne Justice Assistance Grant in the amount of \$73,137.00 administered by the County of Santa Clara.

PASSED AND ADOPTED this ____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Robert Livengood, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

City of Milpitas, California

BUDGET CHANGE FORM

Type of Change	From		To	
	Account	Amount	Account	Amount
Check one: <input checked="" type="checkbox"/> Budget Appropriation <input type="checkbox"/> Budget Transfer	268-3557	\$73,137	268-721-4873 268-711-4873 268-722-4921 268-721-4921	\$24,000 9,200 1,100 38,837

Explain the reason for the budget change:

On April 21, 2009, the County of Santa Clara agreed to coordinate a joint application among several law enforcement agencies in the County, including the Milpitas Police Department, and the joint application was submitted to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, on May 18, 2009.

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Adopt a Resolution to accept the American Recovery and Reinvestment Act (ARRA) Edward Byrne Justice Assistance Grant (JAG) in the amount of \$73,137.00 administered by the County of Santa Clara.

Check if City Council Approval required. Meeting Date: August 4, 2009

Itemization of funds, if needed:		Amount
Requested by:	Division Head:	Date:
	Department Head: <i>Dennis L. Hub</i>	Date: 7-23-09
Reviewed by:	Finance Director: <i>m c hal</i>	Date: 7/22/09
Approved by:	City Manager:	Date:
Date approved by City Council, if required:		Confirmed by: