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Memorandum Date: June 3, 2008
Order Date: June 18, 2008

TO: Board of County Commissioners

DEPARTMENT: Sheriff's Office

PRESENTED BY: Janice Gotchall, Management Analyst

AGENDA ITEM TITLE: ORDER/ In the Matter of Applying for a U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) Grant in the amount not to exceed \$397,503 for 36 months to enhance drug enforcement and prosecution activities; and Delegating Authority to the Lane County Administrator to sign grant documents (Department of Public Safety)

I. MOTION

Move approval of Board Order # _____ / In the Matter of Applying for a U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) Grant in the amount not to exceed \$397,503 for 36 months to enhance drug enforcement and prosecution activities; and Delegating Authority to the Lane County Administrator to sign grant documents (Department of Public Safety)

II. AGENDA ITEM SUMMARY

The U.S. Department of Justice, Office of Community Oriented Policing Services is soliciting applications for proposals to improve the capacity of local adult criminal justice systems. The Lane County Sheriff's Office is seeking approval of the Board of Commissioner for Lane County to apply for and receive these grant funds. The Sheriff's Office is seeking funding through the COPS grant to cover costs related to overtime pay for drug surveillance, executing search warrants, ensuring minimal level of prosecution of drug crimes, maintaining community partnerships, and increasing referrals to the Drug Court.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

In 2006 the Board approved Order #06-5-31-11 which provided \$197,446 to

implement elements of the Lane County Comprehensive Methamphetamine Plan.

The 2006 award provided funding for meth-specific training for detectives, hiring of a Management Analyst to work towards goals of the Meth Comprehensive Plan, and paid for training in use of the Corrections Program Checklist to evaluate the effectiveness of existing corrections programs. These efforts are ongoing and will continue for another nine months. This grant proposal will focus on additional components of our efforts against meth by applying resources to the prosecution of drug-related charges, making referrals into Drug Court, providing funding to cover overtime pay for officers to conduct field surveillance activities and to execute search warrants. The grant proposal includes a request for travel and training related to meth for Lane County detectives as well as a part-time Analyst to monitor progress on the Meth Plan and serve as the Sheriff's Office liaison to other community efforts to address meth.

B. Policy Issues

The Administrative Procedures Manual (APM) Chapter 1, 2A, 1, requires staff from departments desiring to apply for grants to submit the proposal to the Board for approval.

C. Board Goals

Public health and safety are a top priority for Lane County Commissioners. If funded, this proposal will address several important public safety concerns such as maintaining a minimal level of prosecution of drug-related cases, maintaining client referrals to the drug court, and providing training and overtime pay to detectives.

D. Financial and/or Resource Considerations

This grant proposal requests \$397,503 over 36 months. There is no local match requirement.

E. Analysis

Since 2003, the Lane County Sheriff's Office has worked with Lane County's congressional delegation and United Front partners to seek federal funding to further public safety needs. Funding for communication technology and addressing the effects of methamphetamine in the community have been the highest priority in these efforts. Because of this work, and the success of the Congressional delegation, the Lane County Sheriff's Office was targeted through a COPS grant to receive funding for methamphetamine-related initiatives again this year. Originally, we had planned to use these funds to establish an offender-reentry program, however, in light of current budget realities, however, we find it necessary to shore up existing programs rather than establish new ones.

Recent budget reductions have seriously impacted the criminal justice system in Lane County. Lane County's ability to enforce laws against drug dealers as well as to hold offenders accountable has been seriously diminished. Meth abuse continues to be a serious problem in the County. Meth is at the heart of many crimes in our communities including child neglect and abuse, rampant property crimes, identity theft, and more recently, metals theft.

The LCSO now has a single detective assigned to drug investigations throughout Lane County. The budget for FY08-09 includes only a small amount of funding for overtime or training. It is estimated that the cost of executing a drug-related search warrant costs approximately \$1600-\$2000 in overtime. With fewer detectives available, deputies will be called on to assist with executing search warrants and other drug-related activities in addition to their normal shifts. The current overtime budget for Police Services as a whole, for FY08-09 is approximately \$30,000 down from \$100,000 for FY07-08. The grant proposal requests approximately \$30,000 to provide additional overtime for drug investigations. Additionally, the grant proposal includes approximately \$7,000 over the 36 month period to fund narcotics enforcement-related training for the Lane County drug detective.

During the budget process, the District Attorney's Office was slated to eliminate nearly all drug case prosecutions due to the extensive cuts proposed for that office. This reduction would have had the secondary effect of closing of the Lane County Drug Court as there would no longer be sufficient referrals to the Court to justify its existence. The Drug Court has a proven track record of holding offenders accountable while working towards long-term recovery from drug addiction. As a result of add-backs, the DA's office reduction was not as severe as originally proposed; however, the positions were restored on a one-year temporary basis. At the end of FY08-09, funding for the Deputy DA position and, therefore, Drug Court is scheduled to end. This grant will provide sufficient resources to hire a Deputy DA for 22 months *after* the end of FY 08-09. It is hoped that a long-term financial solution will be found to support these critically-needed programs before the expiration of the grant.

Efforts to combat meth are multi-faceted and interdependent. Drug investigations, surveillance, and enforcement are all pointless without adequate prosecution of offenders. Proven methods of holding offenders accountable while addressing drug dependence issues, such as Drug Court, also require prosecutorial staff to refer clients to the program. This proposal seeks to provide much-needed resources to several interdependent efforts. Another part of those efforts is to monitor progress on the Methamphetamine Comprehensive plan, collect and analyze meth-related crime data, and to work with community representatives to coordinate efforts against meth.

1. What is the match requirement, if any and how is that to be covered for the duration of the grant?

There is no match requirement for this grant.

2. Will the grant require expenditures for Materials and Services or capital not fully paid for by the grant?

The grant reimburses for materials and services costs.

3. Will the grant funds be fully expended before county funds need to be spent?

Yes.

4. How will the administrative work of the grant be covered if the grant funds don't cover it?

The Sheriff's Office fiscal section currently covers all administrative work required by grants such as financial reports, quarterly reports, and close-out activities. This grant will be handled in the same manner as other LCSO grants.

5. Have grant stakeholders been informed of the grant sun-setting policy so there is no misunderstanding when the funding ends? Describe the plan for service if funding does not continue.

Yes, stakeholders are aware of the 36 month time span covered by the grant. The actual begin and end dates won't be known until the award is made. At that time, all stakeholders will again be reminded of the time period covered by the grant.

6. What accounting, auditing, and evaluation obligations are imposed by the grant conditions?

The Sheriff's Office currently administers other COPS grants and is familiar with the accounting, auditing, and evaluation requirements of this type of grant. We maintain good communication and working relations with the COPS grant management office.

7. How will the department cover the accounting, auditing, and evaluation obligations? How are the costs for these obligations covered, regardless of whether they are in the department submitting the grant or a support service department? Does the department acknowledge that the county will need to cover these costs and it is an appropriate cost incurred by support services departments?

The Sheriff's Office and District Attorney's Office will cover the accounting, auditing, and evaluation obligations of this grant. Applicants who receive funding must provide data that measures the results of their work. Quarterly financial and

annual progress reports will be required. Any required data collection or analysis will be completed by the LCSO Management Analyst and/or Accounting Analysts in the LCSO and District Attorney's Office.

8. Are there any restrictions against applying the county full cost indirect charge?

According to the application guide, the U.S. Department of Justice, Office of Community Oriented Policing Services lists indirect charges as an unallowable expense. The District Attorney's Office and the LCSO will fund indirects for the positions mentioned in this grant.

9. Are there any unique or unusual conditions that trigger additional county work effort, or liability, i.e., maintenance of effort requirements or supplanting prohibitions or indemnity obligations?

The grant prohibits supplanting of state or local funds.

10. 11. 12.

Not applicable. This grant is not a computer software application project.

F. Alternatives/Options

1. Accept the motion; adopt the order, which will allow the Sheriff's Office to apply for the COPS grant.

2. Do not accept the motion. This will result in the loss of this opportunity to apply for needed resources.

IV. RECOMMENDATION

The Sheriff's Office recommends approving the Board Order to allow Lane County to apply for the grant.

V. TIMING/IMPLEMENTATION

The grant application is due June 20, 2008. Awards will be made during FFY08. The grant period is for 36 months.

VI. FOLLOW-UP

None.

VII. ATTACHMENTS

1. Board Order
2. Grant Application [Note: The grant application is due June 20, 2008 and is still being written. Legal Counsel will review all assurances and legal components of the agreement prior to the Board Meeting on June 17th. Before June 20th, a complete copy of the application will be available for review in the Board Secretary's office.]

**THE BOARD OF COUNTY COMMISSIONERS, LANE COUNTY,
OREGON**

ORDER:) ORDER / In the Matter of Applying for a U.S. Department of
) Justice, Office of Community Oriented Policing Services (COPS)
) Grant in the amount not to exceed \$397,503 for 36 months to
) stabilize drug enforcement and prosecution activities; and
) Delegating Authority to the County Administrator to sign grant
) documents (Department of Public Safety)

WHEREAS, the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) has announced the availability of funds to enhance local Methamphetamine Initiatives; and

WHEREAS Strategic Plan priorities in Lane County are guided by the severity and immediacy of the threat to life and health safety and/or the effects of long term or future deterrent to threats; and

WHEREAS, the grant will offer an opportunity to maintain drug enforcement efforts, the ability to hold offenders accountable, and to refer to Drug Court for treatment; and

WHEREAS, the Sheriff's Office, the District Attorney's Office and the Lane County Drug Court will work together to implement the grant if awarded; and

NOW THEREFORE IT IS HEREBY ORDERED that Lane County shall apply for a U.S. Department of Justice, Office of Community Oriented Policing Services Grant in an amount not to exceed \$397,503; and

FURTHER ORDERED that the County Administrator be delegated authority to sign award documents in the amount not to exceed \$397,503.

DATED this 18th day of June, 2008.

Chair

Lane County Board Of Commissioners

6/13/08
Date
[Signature]
COUNTY CLERK

Disclosure of Lobbying Activities

Instructions for Completion of SF-LLL, Disclosure of Lobbying Activities

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District number, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFPD E-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting registrant identified in item 4 to influence the covered Federal action.
(b) Enter the full name(s) of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352.

1. Type of Federal Action: _____ a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: _____ a. bid/offer/application b. initial award c. post-award 3. Report Type: _____	a. initial filing b. material change <i>For Material Change Only:</i> Year: _____ Quarter: _____ Date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District (number), if known: _____		5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District (number), if known: _____
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDANumber, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i>	10. b. Individuals Performing Services <i>(including address if different from No.10a)</i> <i>(last name, first name, MI):</i>	
11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:	Authorized for Local Reproduction, Standard Form - LLL	

SECTION 15: ASSURANCES

Several provisions of federal law and policy apply to all grant programs. We (the Office of Community Oriented Policing Services) need to secure your assurance that the applicant will comply with these provisions. If you would like further information about any of these assurances, please contact your state's COPS Grant Program Specialist at (800) 421-6770.

By the applicant's authorized representative's signature, the applicant assures that it will comply with all legal and administrative requirements that govern the applicant for acceptance and use of federal grant funds. In particular, the applicant assures us that:

1. It has been legally and officially authorized by the appropriate governing body (for example, mayor or city council) to apply for this grant and that the persons signing the application and these assurances on its behalf are authorized to do so and to act on its behalf with respect to any issues that may arise during processing of this application.

2. It will comply with the provisions of federal law, which limit certain political activities of grantee employees whose principal employment is in connection with an activity financed in whole or in part with this grant. These restrictions are set forth in 5 U.S.C. § 1501, et seq.

3. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, if applicable.

4. It will establish safeguards, if it has not done so already, to prohibit employees from using their positions for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.

5. It will give the Department of Justice or the Comptroller General access to and the right to examine records and documents related to the grant.

6. It will comply with all requirements imposed by the Department of Justice as a condition or administrative requirement of the grant, including but not limited to: the requirements of 28 CFR Part 66 and 28 CFR Part 70 (governing administrative requirements for grants and cooperative agreements); 2 CFR Part 225 (OMB Circular A-87), 2 CFR 220 (OMB Circular A-21), 2 CFR Part 230 (OMB Circular A-122) and 48 CFR Part 31.000, et seq. (FAR 31.2) (governing cost principles); OMB Circular A-133 (governing audits) and other applicable OMB circulars; the applicable provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; 28 CFR Part 38.1; the current edition of the COPS Grant Monitoring Standards and Guidelines; the applicable COPS Grant Owners Manuals; and with all other applicable program requirements, laws, orders, regulations, or circulars.

7. If applicable, it will, to the extent practicable and consistent with applicable law, seek, recruit and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions in the agency.

8. It will not, on the ground of race, color, religion, national origin, gender, disability or age, unlawfully exclude any person from

participation in, deny the benefits of or employment to any person, or subject any person to discrimination in connection with any programs or activities funded in whole or in part with federal funds. These civil rights requirements are found in the non-discrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. § 3789(d)); Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794); Title II, Subtitle A of the Americans with Disabilities Act (ADA) (42 U.S.C. § 12101, et seq.); the Age Discrimination Act of 1975 (42 U.S.C. § 6101, et seq.); and Department of Justice Non-Discrimination Regulations contained in Title 28, Parts 35 and 42 (subparts C, D, E and G) of the Code of Federal Regulations.

A. In the event that any court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability or age against the applicant after a due process hearing, it agrees to forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, D.C. 20531.

B. Grantees that have 50 or more employees and grants over \$500,000 (or over \$1,000,000 in grants over an eighteen-month period), must submit an acceptable Equal Employment Opportunity Plan ("EEOP") or EEOP short form (if grantee is required to submit an EEOP under 28 CFR 42.302), that is approved by the Office of Justice Programs, Office for Civil Rights within 60 days of the award start date. For grants under \$500,000, but over \$25,000, or for grantees with fewer than 50 employees, the grantee must submit an EEOP Certification. (Grantees of less than \$25,000 are not subject to the EEOP requirement.)

9. Pursuant to Department of Justice guidelines (June 18, 2002 Federal Register (Volume 67, Number 117, pages 41455-41472)), under Title VI of the Civil Rights Act of 1964, it will ensure meaningful access to its programs and activities by persons with limited English proficiency.

10. It will ensure that any facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify us if advised by the EPA that a facility to be used in this grant is under consideration for such listing by the EPA.

11. If the applicant's state has established a review and comment procedure under Executive Order 12372 and has selected this program for review, it has made this application available for review by the state Single Point of Contact.

12. It will submit all surveys, interview protocols, and other information collections to the COPS Office for submission to the Office of Management and Budget for clearance under the Paperwork Reduction Act of 1995 if required.

13. It will comply with the Human Subjects Research Risk Protections requirements of 28 CFR Part 46 if any part of the funded project contains non-exempt research or statistical activities which involve human subjects and also with 28 CFR Part 22, requiring the safeguarding of individually identifiable information collected from research participants.

14. Pursuant to Executive Order 13043, it will enforce on-the-job seat belt policies and programs for employees when operating agency-owned, rented or personally-owned vehicles.

15. It will not use COPS funds to supplant (replace) state, local, or Bureau of Indian Affairs funds that otherwise would be made available for the purposes of this grant, as applicable.

16. If the awarded grant contains a retention requirement, it will retain the increased officer staffing level and/or the increased officer redeployment level, as applicable, with state or local funds for a minimum of one full local budget cycle following expiration of the grant period.

17. It will not use any federal funding directly or indirectly to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law ratification, policy or appropriation whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy or appropriation as set forth in the Anti-Lobby Act, 18 U.S.C. 1913.

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law.

I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

Signature of Law Enforcement Executive (or Official with Programmatic Authority, as applicable)

Date

Signature of Government Executive
(or Official with Financial Authority, as applicable)

Date

SECTION 16: CERTIFICATIONS

Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements Coordination with Affected Agencies.

Although the Department of Justice has made every effort to simplify the application process, other provisions of federal law require us to seek your agency's certification regarding certain matters. Applicants should read the regulations cited below and the instructions for certification included in the regulations to understand the requirements and whether they apply to a particular applicant. Signing this form complies with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 28 CFR Part 67, "Government-Wide Debarment and Suspension (Nonprocurement)," 28 CFR Part 83 Government-Wide Requirements for Drug-Free Workplace (Grants)," and the coordination requirements of the Public Safety Partnership and Community Policing Act of 1994. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered grant.

1. Lobbying

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

A. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the making of any federal grant; the entering into of any cooperative agreement; and the extension, continuation, renewal, amendment or modification of any federal grant or cooperative agreement;

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. Debarment, Suspension and Other Responsibility Matters (Direct Recipient)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Part 2867, Section 2867.437 -

A. The applicant certifies that it and its principals:

(i) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;

(ii) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) or private agreement or transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion or receiving stolen property, making false claims, or obstruction of justice, or commission of any offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility.

(iii) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (A)(ii) of this certification; and

(iv) Have not within a three-year period preceding this application had one or more public transactions (federal, state or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. Drug-Free Workplace (Grantees Other Than Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, for grantees, as defined at 28 CFR Part 83, Sections 83 and 83.510 -

A. The applicant certifies that it will, or will continue to, provide a drug-free workplace by:

(i) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(ii) Establishing an on-going drug-free awareness program to inform employees about -

- (a) The dangers of drug abuse in the workplace;
- (b) The grantee's policy of maintaining a drug-free workplace;
- (c) Any available drug counseling, rehabilitation and employee assistance programs; and
- (d) The penalties that may be imposed upon employees for drug-abuse violations occurring in the workplace;
- (iii) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (i);
- (iv) Notifying the employee in the statement required by paragraph (i) that, as a condition of employment under the grant, the employee will -
- (a) Abide by the terms of the statement; and
- (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (v) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (iv)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: COPS Office, 1100 Vermont Ave., NW, Washington, D.C. 20530. Notice shall include the identification number(s) of each affected grant.
- (vi) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (iv)(b), with respect to any employee who is so convicted -

(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency;

(vii) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (i), (ii), (iii), (iv), (v) and (vi).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of performance (street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

4. Coordination

The Public Safety Partnership and Community Policing Act of 1994 requires applicants to certify that there has been appropriate coordination with all agencies that may be affected by the applicant's grant proposal if approved. Affected agencies may include, among others, the Office of the United States Attorney, state or local prosecutors, or correctional agencies. The applicant certifies that there has been appropriate coordination with all affected agencies.

Grantee Agency Name and Address: _____

_____ Grantee IRS/ Vendor Number: _____

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law.

I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

Typed Name and Title of Law Enforcement Executive (or Official with Programmatic Authority, as applicable):

Signature: _____ Date: _____

Typed Name and Title of Government Executive (or Official with Financial Authority, as applicable): _____

Signature: _____ Date: _____