

**REPORT TO MAYOR AND COUNCIL****TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: November 18, 2014

SUBJECT: ACCEPT ALLOCATION IN THE AMOUNT OF \$196,858 FROM THE CITIZEN'S OPTIONS FOR PUBLIC SAFETY (COPS) STATE OF CALIFORNIA GRANT FUNDS PROGRAM AND ALLOCATE THE FUNDS TO FUND (1) FULLTIME EQUIVALENT (FTE) FORENSIC SPECIALIST 1 POSITION AND (1) FTE CONTRACT FORENSIC SPECIALIST 1 POSITION

Report in Brief

The California State Legislature allocates state funds to local governments for the purpose of ensuring public safety through a program, entitled Citizen's Options for Public Safety (COPS). The City of Concord Police Department has received a preliminary allocation in the amount of \$196,858 for FY14-15 to be used for front line municipal police services. The COPS program is an ongoing State program, but requires a new budget appropriation for each of the projected fiscal years. The City anticipated and appropriated, as part of the FY14-15 budget, \$100,000 for funding one FTE Forensic Specialist I. Staff recommends the City Council adopt Resolution No. 14-82, accepting the fiscal year allocation from the COPS program, and allocating it to be used to continue funding one Full Time Equivalent (FTE) civilian Forensic Specialist I position and the funding of an additional FTE contract Forensic Specialist I.

Background

The COPS Program allocates approximately \$100,000,000 to local government agencies annually to be used for front line municipal police services. The COPS Program was initiated through Assembly Bill 3229 in 1996 and was first funded in California's 1996-97 Budget. The Legislature's commitment for this program to continue into the future appears in the language of Government Code Section 30061(c)(1). While the 1996 legislature could not bind future legislatures, the current legislature has confidence that the program will continue, and they encourage agencies to use these funds to hire and maintain public safety personnel.

COPS funds are allocated to individual governmental agencies through their respective county governments and the amount allocated is based upon the population they serve. Accordingly, the funds allocated for the City of Concord for Fiscal Year 2014-15 total approximately \$196,858. The funds are appropriated based on written requests that are submitted by the Chief of Police and acted upon by the City Council at a public meeting. The funds must be used exclusively to fund front line municipal police services and must supplement and not supplant existing funding. The funds cannot be used for administrative overhead costs in excess of 0.5 percent of the allocation from Supplemental Law Enforcement Service Account (SLESA) nor can the allocation be used to fund the cost of any capital project or construction project that does not directly support front line law enforcement services.

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SB1023 (2012) removed various reporting and public hearing requirements for cities expending SLESA moneys and removed the requirement for each county to have a Supplemental Law Enforcement Oversight Committee to determine whether the recipient entities have expended the moneys received from the SLESA appropriately.

Discussion

Proposed Use of the 2014-15 Funds: The Police Department's proposed use of these funds in Fiscal Year 2014-15 focuses on the continued civilianization of specific front line positions in the Department by continuing to fund one full time regular employee Forensic Specialist I and funding an additional contract Forensic Specialist I.

Historically, the City has received only around \$100,000 from the COPS grant which has been used to fund one full time regular employee Forensic Specialist I. With the COPS grant funding increase that has occurred in recent years, the Police Chief is recommending adding an additional Forensic Specialist I position, but as a contract employee. The Chief is proposing the position be filled by a contract employee because there is no certainty this higher funding level will continue in future years.

Civilianization: In 1996 the Police Department initiated a strategy to improve the efficiency with which sworn officers are deployed. Part of that strategy involved identifying positions that had previously been filled with sworn officers and could be replaced with non-sworn employees. Several of these positions were identified in the Crime Scene Investigations Unit (CSI). In 1997 two officers were replaced in that unit by civilians who assumed the responsibilities of crime scene investigators. The two civilians were funded by the State Block Grant, or COPS money. This strategy proved successful. The civilians have assumed the crime scene responsibilities without a degradation of investigative quality and the sworn officers have been moved to positions where their authority and expertise could be better utilized. In early 1998 a third police officer position was replaced by a civilian, and in 1999 a fourth police officer position in the Crime Scene Investigations Unit was also replaced by a civilian.

The Police Department proposes that the FY14-15 funds be used to continue funding one Full Time Equivalent (FTE) civilian Forensic Specialist I position at an estimated cost of \$100,000 per year.

Need for Forensic Specialist:

Physical evidence is considered the most reliable and incontrovertible form of evidence presented during a criminal prosecution. It is also the mechanism whereby many unknown suspects are ultimately identified (fingerprints, DNA, etc.). For this reason, CPD puts great emphasis on identifying evidence, analyzing it for meaning, and presenting it in a timely manner so crime suspects can be rapidly identified and brought to justice. This can be a challenge when CSI staffing levels cannot keep up with the demand for evidence handling and processing. Current CSI staffing levels authorize three full-time, non-sworn Forensic Specialists. In calendar year 2013, PD Forensic Specialists completed the following work:

- Responded to 1273 CSI requests/calls
- Collected 343 latent fingerprint cards
- Took 13542 digital evidence photographs
- Collected and logged 343 evidence items
- Entered 427 latent fingerprints into the automated fingerprint ID system

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- Made 98 identifications of suspects from fingerprints

Currently, the City of Concord, as well as surrounding Bay Area and California communities, is experiencing a rise in property-related crime, such as burglary and vehicle theft. These kinds of crimes are most commonly solved and offenders successfully prosecuted, using physical evidence. The addition of another Forensic Specialist to our CSI team would specifically complement our property-crime fighting efforts, as well as ensure that the PD is better prepared to keep up with the on-going demand for evidence collection, preservation, and processing. The funding for the recommended contract Forensic Specialist I position will come from the \$96,858 in COPS funding that the City is scheduled to receive, which is above the \$100,000 that was included in the FY 2014-15 Adopted Budget. Continuation of this position will be contingent upon the availability of future COPS funding and subsequent Council approval.

Fiscal Impact

Receipt of COPS grant funds of \$196,858 in fiscal year 2014-2015.

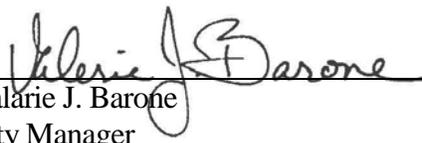
Public Contact

The public meeting agenda was legally posted in preparation for this meeting. No other public contact in regard to this issue has occurred.

Recommendation for Action

Staff recommends the City Council adopt Resolution No. 14-82, accepting the allocation from the COPS program and allocating it for funding one (1) Full Time Equivalent (FTE) Forensic Specialist I position and the funding of an additional FTE contract Forensic Specialist I position.

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Attachment 1: Resolution 14-82

**BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

**A Resolution Authorizing the Establishment of a
Supplemental Law Enforcement Services Fund
(SLESA) to Accept Funds from the Citizen’s Options
for Public Safety Grant for Fiscal Year 2014/15; and
to Appropriate the Funds for One Full-Time Forensic
Specialist and one Full-Time Contract Forensic
Specialist Positions**

Resolution No. 14-82

WHEREAS, the California State Legislature initiated funding of a program entitled Citizen’s Options for Public Safety (COPS) in 1996; and

WHEREAS, the California State Legislature enacted legislation allocating up to \$100,000,000 in State funds for the COPS Program to be used for front line municipal police services; and

WHEREAS, the Concord Police Department will receive \$196,858 from the COPS program for Fiscal Year 2014/15 which will be deposited into an established Supplemental Law Enforcement Services Fund; and

WHEREAS, the Concord Police Department will utilize these funds to fund one FTE civilian Forensic Specialist position and the addition of one FTE contract Forensic Specialist.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES
RESOLVE AS FOLLOWS:**

Section 1. Accepts Citizen’s Options for Public Safety (COPS) Grant funds in the amount of \$196,858 annually for Fiscal Year 2014/15; and appropriates use of the funds for one full-time equivalent (FTE) civilian Forensic Specialist position and addition of one FTE contract Forensic Specialist in the Crime Scene Investigations Unit.

Section 2. This resolution shall become effective immediately upon its passage and adoption.

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PASSED AND ADOPTED by the City Council of the City of Concord on November 18, 2014, by the following vote:

- AYES:** Councilmembers -
- NOES:** Councilmembers -
- ABSTAIN:** Councilmembers -
- ABSENT:** Councilmembers -

I HEREBY CERTIFY that the foregoing Resolution No. 14-82 was duly and regularly adopted at a regular meeting of the City Council of the City of Concord on November 18, 2014.

Joelle Fockler, CMC
City Clerk

APPROVED AS TO FORM:

Mark S. Coon
City Attorney