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| APPLICATION FOR FEDERAL ASSISTANCE | 2. DATE SUBMITTED | Applicant Identifier |
| 1. TYPE OF SUBMISSION Application Non-Construction | 3. DATE RECEIVED BY STATE | State Application Identifier |
| | 4. DATE RECEIVED BY FEDERAL AGENCY | Federal Identifier |
| 5. APPLICANT INFORMATION | | |
| Legal Name City of Flagstaff | | Organizational Unit Flagstaff Police Department |
| Address City Hall, 211 West Aspen Flagstaff, Arizona 86001-5359 | | Name and telephone number of the person to be contacted on matters involving this application Brechler-Knaggs, Stacey (928) 213-2227 |
| 6. EMPLOYER IDENTIFICATION NUMBER (EIN) 86-6000244 | | 7. TYPE OF APPLICANT Municipal |
| 8. TYPE OF APPLICATION New | | 9. NAME OF FEDERAL AGENCY Bureau of Justice Assistance |
| 10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 16.738 CFDA Edward Byrne Memorial Justice Assistance Grant TITLE: Program | | 11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT FY 2019 JAG |
| 12. AREAS AFFECTED BY PROJECT Northern Arizona | | |
| 13. PROPOSED PROJECT Start Date: October 01, 2018 End Date: August 30, 2020 | | 14. CONGRESSIONAL DISTRICTS OF a. Applicant b. Project AZ01 |
| 15. ESTIMATED FUNDING | | 16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? Program is not covered by E.O. 12372 |
| Federal | \$20,458 | |
| Applicant | \$0 | |
| State | \$0 | |
| Local | \$0 | |
| Other | \$0 | |

| | | |
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| Program Income | \$0 | 17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? |
| TOTAL | \$20,458 | |
| 18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED. | | |

Close Window



Background

Recipients' financial management systems and internal controls must meet certain requirements, including those set out in the "Part 200 Uniform Requirements" (2.C.F.R. Part 2800).

Including at a minimum, the financial management system of each OJP award recipient must provide for the following:

- (1) Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, and the name of the Federal agency.
- (2) Accurate, current, and complete disclosure of the financial results of each Federal award or program.
- (3) Records that identify adequately the source and application of funds for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income, and interest, and be supported by source documentation.
- (4) Effective control over, and accountability for, all funds, property, and other assets. The recipient must adequately safeguard all assets and assure that they are used solely for authorized purposes.
- (5) Comparison of expenditures with budget amounts for each Federal award.
- (6) Written procedures to document the receipt and disbursement of Federal funds including procedures to minimize the time elapsing between the transfer of funds from the United States Treasury and the disbursement by the OJP recipient.
- (7) Written procedures for determining the allowability of costs in accordance with both the terms and conditions of the Federal award and the cost principles to apply to the Federal award.
- (8) Other important requirements related to retention requirements for records, use of open and machine readable formats in records, and certain Federal rights of access to award-related records and recipient personnel.

1. Name of Organization and Address:

Organization Name: City of Flagstaff
 Street1: 211 W. Aspen Ave.
 Street2:
 City: Flagstaff
 State: ARIZONA
 Zip Code: 86001

2. Authorized Representative's Name and Title:

Prefix: Ms. First Name: Barbara Middle Name:
 Last Name: Goodrich Suffix:
 Title: City Manager

3. Phone: (928) 213-2081 4. Fax: 9282312209

5. Email: bgoodrich@flagstaffaz.gov

| | | |
|------------------------------|---|---------------------------------|
| 6. Year Established: 1894 | 7. Employer Identification Number (EIN): 866000244 | 8. DUNS Number: 883026250000 |
|------------------------------|---|---------------------------------|

9. a) Is the applicant entity a nonprofit organization (including a nonprofit institution of higher education) as described in 26 U.S.C. 501(c)(3) and exempt from taxation under 26 U.S.C. 501(a)? Yes No

If "No" skip to Question 10.

If "Yes", complete Questions 9. b) and 9. c).



AUDIT INFORMATION

| | |
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| 9. b) Does the applicant nonprofit organization maintain offshore accounts for the purpose of avoiding paying the tax described in 26 U.S.C. 511(a)? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>9. c) With respect to the most recent year in which the applicant nonprofit organization was required to file a tax return, does the applicant nonprofit organization believe (or assert) that it satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to the reasonableness of compensation of certain individuals)?</p> <p>If "Yes", refer to "Additional Attachments" under "What An Application Should Include" in the OJP solicitation (or application guidance) under which the applicant is submitting its application. If the solicitation/guidance describes the "Disclosure of Process related to Executive Compensation," the applicant nonprofit organization must provide -- as an attachment to its application -- a disclosure that satisfies the minimum requirements as described by OJP.</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>For purposes of this questionnaire, an "audit" is conducted by an independent, external auditor using generally accepted auditing standards (GAAS) or Generally Governmental Auditing Standards (GAGAS), and results in an audit report with an opinion.</p> <p>10. Has the applicant entity undergone any of the following types of audit(s) (Please check all that apply):</p> <p><input checked="" type="checkbox"/> "Single Audit" under OMB A-133 or Subpart F of 2 C.F.R. Part 200</p> <p><input type="checkbox"/> Financial Statement Audit</p> <p><input type="checkbox"/> Defense Contract Agency Audit (DCAA)</p> <p><input type="checkbox"/> Other Audit & Agency (list type of audit):</p> <p style="background-color: #cccccc; height: 20px; margin-left: 20px;"></p> <p><input type="checkbox"/> None (if none, skip to question 13)</p> | |
| <p>11. Most Recent Audit Report Issued: <input checked="" type="checkbox"/> Within the last 12 months <input type="checkbox"/> Within the last 2 years <input type="checkbox"/> Over 2 years ago <input type="checkbox"/> N/A</p> <p>Name of Audit Agency/Firm: CliftonLarsonAllen</p> | |
| <p>AUDITOR'S OPINION</p> | |
| <p>12. On the most recent audit, what was the auditor's opinion?</p> <p><input type="checkbox"/> Unqualified Opinion <input checked="" type="checkbox"/> Qualified Opinion <input type="checkbox"/> Disclaimer, Going Concern or Adverse Opinions <input type="checkbox"/> N/A: No audits as described above</p> | |
| <p>Enter the number of findings (if none, enter "0"): 0</p> <p>Enter the dollar amount of questioned costs (if none, enter "\$0"): \$ 0</p> | |
| <p>Were material weaknesses noted in the report or opinion? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | |
| <p>13. Which of the following best describes the applicant entity's accounting system:</p> <p><input type="checkbox"/> Manual <input checked="" type="checkbox"/> Automated <input type="checkbox"/> Combination of manual and automated</p> | |
| 14. Does the applicant entity's accounting system have the capability to identify the receipt and expenditure of award funds separately for each Federal award? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure |
| 15. Does the applicant entity's accounting system have the capability to record expenditures for each Federal award by the budget cost categories shown in the approved budget? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure |
| 16. Does the applicant entity's accounting system have the capability to record cost sharing ("match") separately for each Federal award, and maintain documentation to support recorded match or cost share? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure |



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| <p>17. Does the applicant entity's accounting system have the capability to accurately track employees actual time spent performing work for each federal award, and to accurately allocate charges for employee salaries and wages for each federal award, and maintain records to support the actual time spent and specific allocation of charges associated with each applicant employee?</p> | <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p> |
| <p>18. Does the applicant entity's accounting system include budgetary controls to preclude the applicant entity from incurring obligations or costs that exceed the amount of funds available under a federal award (the total amount of the award, as well as the amount available in each budget cost category)?</p> | <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p> |
| <p>19. Is applicant entity familiar with the "cost principles" that apply to recent and future federal awards, including the general and specific principles set out in 2 C.F.R Part 200?</p> | <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p> |
| <p>PROPERTY STANDARDS AND PROCUREMENT STANDARDS</p> | |
| <p>20. Does the applicant entity's property management system(s) maintain the following information on property purchased with federal award funds (1) a description of the property; (2) an identification number; (3) the source of funding for the property, including the award number; (4) who holds title; (5) acquisition date; (6) acquisition cost; (7) federal share of the acquisition cost; (8) location and condition of the property; (9) ultimate disposition information?</p> | <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p> |
| <p>21. Does the applicant entity maintain written policies and procedures for procurement transactions that – (1) are designed to avoid unnecessary or duplicative purchases; (2) provide for analysis of lease versus purchase alternatives; (3) set out a process for soliciting goods and services, and (4) include standards of conduct that address conflicts of interest?</p> | <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p> |
| <p>22. a) Are the applicant entity's procurement policies and procedures designed to ensure that procurements are conducted in a manner that provides full and open competition to the extent practicable, and to avoid practices that restrict competition?</p> | <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p> |
| <p>22. b) Do the applicant entity's procurement policies and procedures require documentation of the history of a procurement, including the rationale for the method of procurement, selection of contract type, selection or rejection of contractors, and basis for the contract price?</p> | <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p> |
| <p>23. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from entering into a procurement contract under a federal award with any entity or individual that is suspended or debarred from such contracts, including provisions for checking the "Excluded Parties List" system (www.sam.gov) for suspended or debarred sub-grantees and contractors, prior to award?</p> | <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p> |
| <p>TRAVEL POLICY</p> | |
| <p>24. Does the applicant entity:</p> <p>(a) maintain a standard travel policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(b) adhere to the Federal Travel Regulation (FTR)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> | |
| <p>SUBRECIPIENT MANAGEMENT AND MONITORING</p> | |
| <p>25. Does the applicant entity have written policies, procedures, and/or guidance designed to ensure that any subawards made by the applicant entity under a federal award – (1) clearly document applicable federal requirements, (2) are appropriately monitored by the applicant, and (3) comply with the requirements in 2 CFR Part 200 (see 2 CFR 200.331)?</p> | <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure</p> <p><input type="checkbox"/> N/A - Applicant does not make subawards under any OJP awards</p> |



26. Is the applicant entity aware of the differences between subawards under federal awards and procurement contracts under federal awards, including the different roles and responsibilities associated with each?

- Yes No Not Sure
 N/A - Applicant does not make subawards under any OJP awards

27. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from making a subaward under a federal award to any entity or individual is suspended or debarred from such subawards?

- Yes No Not Sure
 N/A - Applicant does not make subawards under any OJP awards

DESIGNATION AS 'HIGH-RISK' BY OTHER FEDERAL AGENCIES

28. Is the applicant entity designated "high risk" by a federal grant-making agency outside of DOJ? (High risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant.)

- Yes No Not Sure

If "Yes", provide the following:

(a) Name(s) of the federal awarding agency:

[Redacted]

(b) Date(s) the agency notified the applicant entity of the "high risk" designation:

[Redacted]

(c) Contact information for the "high risk" point of contact at the federal agency:

Name:

[Redacted]

Phone:

[Redacted]

Email:

[Redacted]

(d) Reason for "high risk" status, as set out by the federal agency:

[Redacted]

CERTIFICATION ON BEHALF OF THE APPLICANT ENTITY

(Must be made by the chief executive, executive director, chief financial officer, designated authorized representative ("AOR"), or other official with the requisite knowledge and authority)

On behalf of the applicant entity, I certify to the U.S. Department of Justice that the information provided above is complete and correct to the best of my knowledge. I have the requisite authority and information to make this certification on behalf of the applicant entity.

Name: Barbara Goodrich

Date: 2018-08-18

Title: Executive Director Chief Financial Officer Chairman

Other: City Manager

Phone: (928) 213-2081

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2019 LOCAL SOLICITATION**

List of Project Identifiers

Applicable project identifiers associated with proposed project activities include:

1. Alcohol
2. Community Policing
3. Crime Prevention
4. Drugs
5. Equipment – general
6. Gangs
7. Graffiti
8. Intervention Programs
9. Overtime
10. School crime

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2019 LOCAL SOLICITATION**

PROGRAM NARRATIVE (Attachment 1)

The Employer Identification Number (EIN) on the SF-424 is the City of Flagstaff Municipal Government EIN. The Flagstaff Police Department has a vendor number that is 86-6000282, The City of Flagstaff's DUNS number is 088302625, SAM expiration date 04/10/2020. The Coconino County's DUNS number is 838150878, SAM expiration date 11/09/2019.

Program Objectives

Flagstaff Police Department (FPD) –

City of Flagstaff, Flagstaff Police Department FPD is applying for \$20,458.00 under the purpose of: LAW ENFORCEMENT PROGRAMS. The FPD portion of \$13,891.00 will fund approximately 231.5 person-hours of discretionary overtime for officers. As the economy continues to struggle, budget cuts and economic crisis increase the likelihood of crimes therefore the financial impact of these funds cannot be minimized. We will be hard-pressed to meet minimum manning levels and respond to emergencies without going over budget on overtime, even without staffing the extra programs that the community has come to expect. The remaining \$430.00 will be used for the mandatory National Incident Based Reporting System (NIBRS) transition.

Coconino County Sheriff's Office (CCSO) –

CCSO is applying for \$5,953.00 under the purpose of: LAW ENFORCEMENT PROGRAMS. The funds will be used to purchase two (2) cellular modem systems that will replace our satellite systems and a 24" plotter printer used in our incident command trailers. These trailers are used in events such as DUI task forces, man hunts, missing persons, disasters and search and rescue.

Coconino County is over 18,600 square miles of geographically rugged terrain. Throughout these rural areas, communication systems contain gaps of coverage. Installing cellular modem systems will allow the capability of mission critical connectivity of cellular and networking solutions in areas where coverage is poor to non-existent.

The remaining \$184.00 will be used for the mandatory National Incident Based Reporting System (NIBRS) transition and will be used in conjunction with the OnCall Records implementation to add NIBRS to the records software management system.

Organization Capabilities/Competencies

FPD - We know our strategies work – in calendar year 2018 alone, we were able to focus on Part One crimes, Property crimes and work toward the reduction of DWI-related collisions. The department's effective and consistent application of the methods and principles of CompStat and Community Policing have improved the safety and quality of life for the citizens of Flagstaff.

The City of Flagstaff Grants Management Team (GMT) is composed of the Grants and Contracts Manager, Grants Specialist, Financial Officer/Accountant, and the Project Representative. This team approach has assured the City's success in grant compliance from application to closeout. The GMT ensures all terms and conditions of the grant agreement are

followed, provides oversight and monitoring for necessary financial and performance reports, monitors contract performance, and ensures all evaluation, audit and closeout procedures are met.

The City of Flagstaff has a full-time Grants and Contracts Manager position which involves researching, monitoring, and applying for available municipal-related grants, monitoring, implementing, evaluating, and assuring the compliance of terms and conditions, and in general, is the central coordinator for all grants; which may involve internal auditing and internal accountability for proper grant compliance. The Grants Specialist position provides support to the Grant and Contracts Manager in these functions. The Accountants assigned to the grants have a high level of technical expertise in governmental budgeting and accounting. In addition, the Project Representatives have extensive knowledge in the targeted areas in which they are seeking funds and are responsible for administering the programs.

The City receives numerous federal grants, which are audited yearly by an Independent Auditor on compliance with requirements applicable to each major program and on internal control over compliance in accordance with OMB 2 CFR Part 200. The Single Audit Report, Schedule of Expenditures of Federal Awards for the past five years, have reflected no audit findings.

The Coconino County Sheriff's Office is highly capable of implementing this project. Key players have been identified to oversee this project. We have a full-time Grants Manager that will monitor, evaluate and assure the compliance of terms and conditions, and coordinate the implementation and reporting of the project. We have a Criminal Investigations Lieutenant that will coordinate with the County Purchasing Manager to assess vendor presentations and bids, as well as oversee the implementation of the equipment.

Program Activities - Design and Implementation

FPD – When not actively responding to citizen-initiated calls for service, officers will use these funds to conduct proactive enforcement and education in neighborhoods and business areas to reduce crime and improve quality of life. These funds will pay for 231.5 hours of officer overtime, which will help preserve jobs and be a huge economic benefit to staff. Adding so many hours of "feet-on-the-street" for these community policing, Neighborhood Block Watch and CompStat initiatives will greatly enhance all our efforts toward our public safety mission.

Community Policing programs provide positive community relationships and excellent customer service to the community. Programs included in community policing include the following:

Neighborhood Block Watch: Neighborhood Block Watch meetings serve as a forum for officers to reach the public. Officers attend community support meetings bi-monthly to identify community concerns and crime patterns and make community policing contacts in the form of educational presentations and clean-up projects. In addition to sharing of information, officers develop problem-solving strategies which result in special enforcement projects, surveillances and "knock and talk" details.

CompStat is a multifaceted, dynamic approach to crime reduction. Data is collected, disseminated and analyzed on a regular basis so that effective strategies and tactics can be developed to prevent or solve crimes. Using these strategies, department personnel and resources are rapidly deployed. CompStat is a valuable tool for the Flagstaff Police Department and effectively reduces crime and protects property.

CCSO will enter into an Intergovernmental Agreement with the City of Flagstaff. Once this document has been fully executed, we will follow the County's established best practices procurement methods to purchase the equipment. We will coordinate with the vendor for installation and officer training.

Project Plan - Impact/Outcomes, Evaluation, and Sustainment

FPD - In line with our community policing philosophy, field personnel use problem-solving methods to address crime, fear of crime and quality of life issues. In addition to sharing information, officers develop problem-solving strategies which resulted in numerous special enforcement projects, surveillances, and assisting nearby agencies with local projects. Many of these activities are a direct result of increased criminal activities in a specific location or neighborhood and the citizen complaints or concerns over these activities. Our various "Safe" programs - Safe Streets, Safe Nights, and Safe Neighborhoods - are examples of programs that have been welcomed by our citizens and merchants. The law-abiding citizens of our community deserve and expect our streets and neighborhoods to be places where they feel safe. The numerous letters, comments and accolades we receive from citizens reinforce the need for these beneficial programs.

Officers apply CompStat process to address citizens concerns of criminal activity, fear of crime and public intoxication in high crime areas. Specific initiatives, directed patrol efforts, and undercover surveillance have proved extremely effective. Officers also worked closely with community members to improve the environmental design and security of high traffic/high crime locations.

CCSO- Replacing the satellite systems with cellular modem systems will allow the addition of stable internet connections in areas where communications are poor or non-existent, for use with deputy's mobile data computers that contain law enforcement and emergency operations programs. The plotter printer will be used to print maps of areas during emergency events and disasters.

The Sheriff's Office Communications Manager will add the equipment to our inventory and monitor the systems routinely to ensure continued coverage.

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2018 LOCAL SOLICITATION**

BUDGET NARRATIVE (Attachment 2)

The total **\$20,458.00** JAG funds will be divided between the disparate City of Flagstaff (\$14,321.00), Flagstaff Police Department (FPD) and Coconino County Sheriff's Office (CCSO) (\$6,137.00). The City share is slated for use as discretionary overtime for our Officers to carry out Community Policing programs and CompStat initiatives.

CITY OF FLAGSTAFF POLICE DEPARTMENT

A. Personnel

| Overtime Cost | Approx. Hrs. | Approx. Hrly Wage | Total |
|----------------|--------------|-------------------|------------|
| Police Officer | 231.5 | \$36 | \$8,334.60 |

The funds will be spent to supplement overtime for officer's community policing, special task forces and compStat Initiatives. These funds will pay approximately 231.5 hours of officer overtime which will help our efforts to prevent or reduce property crime and violence. This will also assist in our "Feet on the Street" public safety initiative which will greatly enhance our efforts towards our core mission.

B. Fringe Benefits

| Overtime Cost | Approx. Hrs. | Approx. Fringe | Total |
|----------------|--------------|----------------|------------|
| Police Officer | 231.5 | \$24 | \$5,556.40 |

The City's fringe benefit rate is 40% and covers the following items; FICA, Worker's Compensation, and Unemployment Compensation.

D. Equipment

National Incident-Based Reporting System (NIBRS) 3 present set-aside will be used towards the Intergraph I/leads Records Management Software that is used for the City's Uniform Crime Reporting.

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| NIBRS 3% - <i>CITY</i> | \$430.00 |
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COCONINO COUNTY SHERIFFS OFFICE

G. Subawards / Subrecipient

CCSO is applying for \$5,953.00 under the purpose of: LAW ENFORCEMENT PROGRAMS. The funds will be used to purchase two (2) cellular modem systems and a 24" plotter printer with service to be used by deputies utilizing our two incident command trailers during task forces, disasters and search and rescue events.

| | |
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| Two cellular modem systems | \$4,600.00 |
| One 24" plotter printer | \$1,353.00 |

The remaining \$184.00 is applied to the associated National Incident Based Reporting System (NIBRS) costs, bringing the Coconino County Sheriff's Office total to \$6,137.00.

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| NIBRS 3% - <i>County</i> | \$184.00 |
|--------------------------|----------|

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| Total Project Cost – <i>City & County</i> | \$20,458.00 |
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Budget Detail - Year 1

Does this budget contain conference costs which is defined broadly to include meetings, retreats, seminars, symposia, and training activities? - Y/N
 (DOJ Financial Guide, Section 3.10)

A. Personnel

| Name <i>List each name, if known.</i> | Position <i>List each position, if known.</i> | Computation <i>Show annual salary rate & amount of time devoted to the project for each name/position.</i> | | | | | | |
|--|--|---|--------|---|--------------------|----------------|--------------------------|-----------------|
| | | Salary | Rate | Time Worked <i>(# of hours, days, months, years)</i> | Percentage of Time | Total Cost | Non-Federal Contribution | Federal Request |
| Officer Position | Officer | \$36.00 | hourly | 232 | 100% | \$8,334 | | \$8,334 |
| Total(s) | | | | | | \$8,334 | \$0 | \$8,334 |

Narrative

The funds will be spent to supplement overtime for officer's community policing, special task forces and compStat Initiatives. These funds will pay approximately 231.5 hours of officer overtime which will help our efforts to prevent or reduce property crime and violence. This will also assist in our "Feet on the Street" public safety initiative which will greatly enhance our efforts towards our core mission.

B. Fringe Benefits

| Name <i>List each grant-supported position receiving fringe benefits.</i> | Computation <i>Show the basis for computation.</i> | | | | |
|--|---|--------|----------------|--------------------------|-----------------|
| | Base | Rate | Total Cost | Non-Federal Contribution | Federal Request |
| | \$13,891.00 | 40.00% | \$5,557 | | \$5,557 |
| Total(s) | | | \$5,557 | \$0 | \$5,557 |

Narrative

The City's fringe benefit rate is 40% and covers the following items; FICA, Worker's Compensation, and Unemployment Compensation.

C. Travel

| Purpose of Travel <i>Indicate the purpose of each trip or type of trip (training, advisory group meeting)</i> | Location <i>Indicate the travel destination.</i> | Type of Expense <i>Lodging, Meals, Etc.</i> | Basis <i>Per day, mile, trip, Etc.</i> | Computation <i>Compute the cost of each type of expense X the number of people traveling.</i> | | | | | | |
|--|---|--|---|--|----------|------------|------------|------------|--------------------------|-----------------|
| | | | | Cost | Quantity | # of Staff | # of Trips | Total Cost | Non-Federal Contribution | Federal Request |
| | | | N/A | | | | | \$0 | | \$0 |
| Total(s) | | | | | | | | \$0 | \$0 | \$0 |

Narrative

| D. Equipment | | | | | |
|--|---|-----------|------------|--------------------------|-----------------|
| Item | Computation | | | | |
| <i>List and describe each item of equipment that will be purchased</i> | <i>Compute the cost (e.g., the number of each item to be purchased X the cost per item)</i> | | | | |
| | # of Items | Unit Cost | Total Cost | Non-Federal Contribution | Federal Request |
| City- NIBRS 3% set-aside, Records Management Software | 1 | \$430.00 | \$430 | | \$430 |
| <i>Total(s)</i> | | | \$430 | \$0 | \$430 |

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| Narrative | |
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| E. Supplies | | | | | |
|---|---|-----------|------------|--------------------------|-----------------|
| Supply Items | Computation | | | | |
| <i>Provide a list of the types of items to be purchased with grant funds.</i> | <i>Describe the item and the compute the costs. Computation: The number of each item to be purchased X the cost per item.</i> | | | | |
| | # of Items | Unit Cost | Total Cost | Non-Federal Contribution | Federal Request |
| | | | \$0 | | \$0 |
| <i>Total(s)</i> | | | \$0 | \$0 | \$0 |

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| Narrative | |
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| F. Construction | | | | | | |
|--|---|--|------|------------|--------------------------|-----------------|
| Purpose | Description of Work | Computation | | | | |
| <i>Provide the purpose of the construction</i> | <i>Describe the construction project(s)</i> | <i>Compute the costs (e.g., the number of each item to be purchased X the cost per item)</i> | | | | |
| | | # of Items | Cost | Total Cost | Non-Federal Contribution | Federal Request |
| | | | | \$0 | | \$0 |
| <i>Total(s)</i> | | | | \$0 | \$0 | \$0 |

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| Narrative | |
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G. Subawards (Subgrants)

| Description | Purpose | Consultant? | | | |
|--|---|--|-------------------|---------------------------------|------------------------|
| <i>Provide a description of the activities to be carried out by subrecipients.</i> | <i>Describe the purpose of the subaward (subgrant)</i> | <i>Is the subaward for a consultant? If yes, use the section below to explain associated travel expenses included in the cost.</i> | | | |
| | | | Total Cost | Non-Federal Contribution | Federal Request |
| County- NIBRS 3% set-aside, Records Management Software | Records Management Software | | \$184 | | \$184 |
| Cellular Modems, Installation, and service | the two (2) cellular modem systems with service will be used by deputies utilizing two incident command trailers during task forces, disasters and search and rescue events | | \$4,600 | | \$4,600 |
| 24" Plotter Printer with stand | the 24" plotter printer with service will be used by deputies utilizing two incident command trailers during task forces, disasters and search and rescue events | | \$1,353 | | \$1,353 |
| Total(s) | | | \$6,137 | \$0 | \$6,137 |

Consultant Travel (if necessary)

| Purpose of Travel <i>Indicate the purpose of each trip or type of trip (training, advisory group meeting)</i> | Location <i>Indicate the travel destination.</i> | Type of Expense <i>Hotel, airfare, per diem</i> | Computation | | | |
|--|---|--|-------------|----------------------|------------|--|
| | | | Cost | Duration or Distance | # of Staff | Compute the cost of each type of expense X the number of people traveling. |
| | | | | | | |
| | | | | | | \$0 |
| Total | | | | | | \$0 |

Narrative

The cellular modem systems will be used in incident command trailers during law enforcement operations where communications are poor or non-existent. The quote for the systems was generated by Niles Radio Communications. Niles holds the Arizona state contract for communications equipment. The cellular modem systems and 24" plotter printer with service will be used by deputies utilizing two incident command trailers during task forces, disasters and search and rescue events. The County will use the 3% NIBRS set-aside to enhance the Records Management System in preparation of the transition to NIBRS.

H. Procurement Contracts

| Description | Purpose | Consultant? | | | |
|---|---|--|-------------------|---------------------------------|------------------------|
| <i>Provide a description of the products or services to be procured by contract and an estimate of the costs. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source procurements in excess of the Simplified Acquisition Threshold (currently \$150,000).</i> | <i>Describe the purpose of the contract</i> | <i>Is the subaward for a consultant? If yes, use the section below to explain associated travel expenses included in the cost.</i> | | | |
| | | | Total Cost | Non-Federal Contribution | Federal Request |
| | | | | | \$0 |
| Total(s) | | | \$0 | \$0 | \$0 |

Consultant Travel (if necessary)

| Purpose of Travel <i>Indicate the purpose of each trip or type of trip (training, advisory group meeting)</i> | Location <i>Indicate the travel destination.</i> | Type of Expense <i>Hotel, airfare, per diem</i> | Computation | | | |
|--|---|--|-------------|----------------------|------------|--|
| | | | Cost | Duration or Distance | # of Staff | Compute the cost of each type of expense X the number of people traveling. |
| | | | | | | |

| | | | Cost | or Distance | # of Staff | Total Cost | Non-Federal Contribution | Federal Request |
|--------------|--|--|------|----------------|---------------|------------|-----------------------------|--------------------|
| | | | | | | \$0 | | \$0 |
| Total | | | | | | \$0 | \$0 | \$0 |

Narrative

I. Other Costs

| Description <i>List and describe items that will be paid with grants funds (e.g. rent, reproduction, telephone, janitorial, or security services, and investigative or confidential funds).</i> | Computation <i>Show the basis for computation</i> | | | | | | |
|--|--|-------|------|----------------|------------|--------------------------|-----------------|
| | Quantity | Basis | Cost | Length of Time | Total Cost | Non-Federal Contribution | Federal Request |
| | | | | | \$0 | | \$0 |
| Total(s) | | | | | \$0 | \$0 | \$0 |

Narrative

J. Indirect Costs

| Description <i>Describe what the approved rate is and how it is applied.</i> | Computation <i>Compute the indirect costs for those portions of the program which allow such costs.</i> | | | | |
|---|--|--------------------|------------|--------------------------|-----------------|
| | Base | Indirect Cost Rate | Total Cost | Non-Federal Contribution | Federal Request |
| | | | \$0 | | \$0 |
| Total(s) | | | \$0 | \$0 | \$0 |

Narrative

Budget Summary

Budget Summary

Note: Any errors detected on this page should be fixed on the corresponding Budget Detail tab.

| | Year 1 | | Year 2 (if needed) | | Year 3 (if needed) | | Year 4 (if needed) | | Year 5 (if needed) | | |
|--|-----------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|----------|
| Budget Category | Federal Request | Non-Federal Request | Federal Request | Non-Federal Request | Federal Request | Non-Federal Request | Federal Request | Non-Federal Request | Federal Request | Non-Federal Request | Total(s) |
| A. Personnel | \$8,334 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$8,334 |
| B. Fringe Benefits | \$5,557 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$5,557 |
| C. Travel | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| D. Equipment | \$430 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$430 |
| E. Supplies | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| F. Construction | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| G. Subawards (Subgrants) | \$6,137 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$6,137 |
| H. Procurement Contracts | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| I. Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total Direct Costs | \$20,458 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$20,458 |
| J. Indirect Costs | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Total Project Costs | \$20,458 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$20,458 |
| Does this budget contain conference costs which is defined broadly to include meetings, retreats, seminars, symposia, and training activities? - Y/N | | | | | | | | | | | No |

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2019 LOCAL SOLICITATION**

REVIEW NARRATIVE (Attachment 3)

The City Staff Summary Report for the FY 2019 JAG grant application and the Intergovernmental Agreement will be presented at the October 2019 City Council meeting. These meetings are open to the public and posted in City Hall and on the City's website. To comment on an item that is on the agenda citizens are asked to fill out a speaker card and submit it to the recording clerk. When the item comes up on the agenda, their name will be called to address the council and provide comment.

In addition, the Coconino County Board of Supervisors will address an agenda item on September 3, 2019, certifying approval of the grant application and an Intergovernmental Agreement between the disparate City of Flagstaff and Coconino County. The County Board meetings are also open to the public to comment on any agenda item.

This year's City funds will be spent to supplement overtime for officer's community policing, special task forces and CompStat initiatives. These funds will pay for approximately 231.5 hours of Officer overtime which will help our efforts to prevent or reduce property crime and violence. Finally, adding so many "feet-on-the-street" for these important public safety initiatives will greatly enhance all our efforts toward our core mission.

The designated Coconino County funds will be utilized to purchase two (2) cellular modem systems and one (1) 24" plotter printer to be used in our incident command trailers, where we have communication issues.

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2019 LOCAL SOLICITATION**

ABSTRACT (Attachment 4)

Applicant's Name: City of Flagstaff, Flagstaff Police Department (FPD)
Title of Project: FPD & CCSO – FY 2019 JAG Program

Goals:

FPD - Funding to pay for approximately 231.5 hours of officer overtime, which will help our continued efforts to prevent or reduce crime and violence. In addition, funds will be applied for the use of allowable administrative costs for the City as the applicant/fiscal agent.

CCSO – The goal of this project is to purchase two cellular modem systems and a 24" plotter printer to be used in our incident command trailers during task force operations, disasters, and search and rescue.

Description of Strategies:

FPD has a proven track record of establishing and maintaining crime prevention programs that elicit cooperation between community members and law enforcement personnel to control, detect and investigate crime. Using Community Policing principles and a CompStat policing model we have achieved a multifaceted, dynamic approach to crime reduction, improving quality of life and resource allocation. Crime data is collected, disseminated and analyzed on a regular basis so that effective strategies and tactics can be developed to prevent or solve crimes. Using CompStat data, department personnel and resources are rapidly deployed to most effectively reduce crime and protect property and relentless follow-up and assessment helps ensure results are achieved.

Coconino County is the second largest county in the United States, spanning over 18,600 square miles. Within our jurisdiction is rugged terrain and our radio communication system has areas with poor or non-existent communications. The cellular modem systems will be used during law enforcement operations where coverage is poor, increasing officer safety. The plotter printer will be used to print maps during emergencies, disasters and search and rescue operations.

Project Identifiers:

The ten project identifiers that meet the criteria for the Edward Byrne Memorial Justice Assistance grant are Alcohol, Community Policing, Crime Prevention, Drugs, Equipment – general, Gangs, Graffiti, Intervention Programs, Overtime, School crime.

CCSO – The project identifiers that meet the criteria for the FFY18 Edward Byrne Memorial Justice Assistance grant are Community Policing, Community Prosecution, Equipment – Video/Audio, Policing, and System Improvements.

Major Deliverables:

FPD – Approximately 231.5 hours of officer overtime, which will help our efforts to prevent or reduce crime and violence and allowable administrative costs.

CCSO – We will purchase, program, and test two cellular modem systems in areas of poor coverage. After testing, we will deploy the systems in our incident command trailers during law enforcement operations. We will purchase and install the plotter printer in the incident command trailer, test and deploy.

Coordination Plans:

FPD – Administer Officer Overtime to achieve the project goal by the end of the grant period.

CCSO – We will enter into an Intergovernmental Agreement with the City of Flagstaff. Once this document has been fully executed, we will obtain approval from the County to purchase the equipment and train officers on its use.

This grant will not coordinate with any other justice-related funding and will be used solely for overtime by the City of Flagstaff and for the purchase of the cellular modem system and a plotter printer for the County.

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2019 LOCAL SOLICITATION**

APPLICANT DISCLOSURE OF PENDING APPLICATIONS

The City of Flagstaff **does not** have pending applications submitted within the last 12 months for federally funded assistance that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation.

**EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FY 2019 LOCAL SOLICITATION**

APPLICANT DISCLOSURE OF PENDING APPLICATIONS

The Coconino County Sheriff's Office **does not** have pending applications submitted within the last 12 months for federally funded assistance that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation.

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB

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

0348-0046

(See reverse for public burden disclosure.)

| | | |
|---|--|---|
| 1. Type of Federal Action: <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance | 2. Status of Federal Action: <input checked="" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award | 3. Report Type: <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____ |
| 4. Name and Address of Reporting Entity: <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: City of Flagstaff 211 West Aspen Flagstaff, AZ. 86001 Congressional District, if known: _____ | 5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known: _____ | |
| 6. Federal Department/Agency: U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance | 7. Federal Program Name/Description: CFDA Number, if applicable: _____ | |
| 8. Federal Action Number, if known: | 9. Award Amount, if known: \$ _____ | |
| 10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI): Nexxus Consulting Bob Holmes 499 South Capital St., SW Suite 600 Washington, D.C. 20003 | b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): | |
| 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: <u>Barbara Goodrich</u> Print Name: <u>Barbara Goodrich</u> Title: <u>City Manager</u> Telephone No.: <u>(928) 213-2081</u> Date: _____ | |
| Federal Use Only: | | Authorized for Local Reproduction Standard Form LLL (Rev. 7-97) |

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 followup 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, 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., "RFP-DE-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 registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names 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.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 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, DC 20503.

**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS**

Edward Byrne Justice Assistance Grant Program FY 2019 Local Solicitation

Certifications and Assurances by the Chief Executive of the Applicant Government

On behalf of the applicant unit of local government named below, in support of that locality's application for an award under the FY 2019 Edward Byrne Justice Assistance Grant ("JAG") Program, and further to 34 U.S.C. § 10153(a), I certify to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief executive of the applicant unit of local government named below, and I have the authority to make the following representations on my own behalf as chief executive and on behalf of the applicant unit of local government. I understand that these representations will be relied upon as material in any OJP decision to make an award, under the application described above, to the applicant unit of local government.
2. I certify that no federal funds made available by the award (if any) that OJP makes based on the application described above will be used to supplant local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.
3. I assure that the application described above (and any amendment to that application) was submitted for review to the governing body of the unit of local government (e.g., city council or county commission), or to an organization designated by that governing body, not less than 30 days before the date of this certification.
4. I assure that, before the date of this certification— (a) the application described above (and any amendment to that application) was made public; and (b) an opportunity to comment on that application (or amendment) was provided to citizens and to neighborhood or community-based organizations, to the extent applicable law or established procedure made such an opportunity available.
5. I assure that, for each fiscal year of the award (if any) that OJP makes based on the application described above, the applicant unit of local government will maintain and report such data, records, and information (programmatic and financial), as OJP may reasonably require.
6. I have carefully reviewed 34 U.S.C. § 10153(a)(5), and, with respect to the programs to be funded by the award (if any), I hereby make the certification required by section 10153(a)(5), as to each of the items specified therein.



Signature of Chief Executive of the Applicant Unit of
Local Government

Coral Evans

Printed Name of Chief Executive

City of Flagstaff

Name of Applicant Unit of Local Government

08/22/2019

Date of Certification

Mayor

Title of Chief Executive

Appendix C

Information regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE)

Each applicant must provide responses to the following questions as an attachment to the application:

- (1) Does your jurisdiction have any laws, policies, or practices related to whether, when, or how employees may communicate with DHS or ICE?
- (2) Is your jurisdiction subject to any laws from a superior political entity (e.g., a state law that binds a city) that meet the description in question 1?
- (3) If yes to either:
 - Please provide a copy of each law or policy;
 - Please describe each practice; and
 - Please explain how the law, policy, or practice complies with section 1373.

Note: Responses to these questions must be provided by the applicant to BJA as part of the JAG application. Further, the requirement to provide this information applies to all tiers of JAG funding, for all subawards made to state or local government entities, including public institutions of higher education. All subrecipient responses must be collected and maintained by the direct recipient of JAG funding and must be made available to DOJ upon request. Responses to these questions are not required from subrecipients that are either a tribal government/organization, a nonprofit organization, or a private institution of higher education.

APPENDIX E - RESPONSE

- (1) Does your jurisdiction have any laws, policies, or practices related to whether, when, or how employees may communicate with DHS or ICE?

Answer: The Flagstaff Police Department has Policy 429 entitled Immigration Enforcement which conforms to the state law. (see attached copy)

- (2) Is your jurisdiction subject to any laws from a superior political entity (e.g., a state law that binds a city) that meet the description in question 1?

Answer: Yes the State of Arizona has A.R.S. Section 11-1051 entitled Cooperation and assistance in enforcement of immigration laws. (see attached copy)

- (3) If yes to either:

- Please provide a copy of each law or policy; **Copies Attached**
- Please describe each practice; and

A.R.S. Section 11-1050 states (in pertinent part): “For any lawful stop, detention or arrest made by a law enforcement official or a law enforcement agency of this state or a law enforcement official or a law enforcement agency of a county, city, town or other political subdivision of this state in the enforcement of any other law or ordinance of a county, city or town or this state where reasonable suspicion exists that the person is an alien and is unlawfully present in the United States, a reasonable attempt shall be made, when practicable, to determine the immigration status of the person, except if the determination may hinder or obstruct an investigation. Any person who is arrested shall have the person’s immigration status determined before the person is released. The person’s immigration status shall be verified with the federal government pursuant to 8 United States Code § 1373(c).”

Flagstaff Police Department Policy 429 States (in pertinent part): “This agency shall conduct all immigration enforcement activities in a manner consistent with federal and state laws regulating immigration and protecting the civil rights, privileges and immunities of all persons. This policy will not limit or restrict the enforcement of federal immigration laws to less than the full extent permitted by federal law, nor does it restrict the full enforcement of state laws.”

The policy further states, consistent with state law: “If, during the course of a lawful stop or detention of a person ("detainee"), an officer subsequently develops reasonable suspicion to believe a detainee is an alien and is unlawfully present in the U.S., the officer must make a reasonable attempt to determine the immigration status of the detainee with ICE/CBP.”

- Please explain how the law, policy, or practice complies with section 1373.

Arizona Law and Flagstaff Police Department Policy 429 do not prohibit or restrict a government entity from sending or receiving information from ICE regarding citizenship or immigration status in compliance with Section 1373(a) and (b)(1). The law and policy also do not restrict the maintaining of such information or the exchange of such information with other governmental entities in compliance with Section 1373(b)(2) and (3).

Immigration Enforcement

429.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the management of investigations into issues related to immigration enforcement.

429.2 POLICY

This agency shall conduct all immigration enforcement activities in a manner consistent with federal and state laws regulating immigration and protecting the civil rights, privileges and immunities of all persons. This policy will not limit or restrict the enforcement of federal immigration laws to less than the full extent permitted by federal law, nor does it restrict the full enforcement of state laws.

The need for community trust and cooperation is an essential component of effective policing and public safety. In furtherance of this principle, victims and witnesses of crime and individuals who contact this agency to express concerns about our performance or file a complaint should not be the focus of immigration inquiries and should be encouraged to cooperate in the reporting and investigation of crime and complaints.

Whenever a foreign national is arrested or detained in the United States, there are legal requirements an officer must follow to ensure the arrested / detained subject has access to consular assistance from his or her own government. These requirements apply to the arrest or detention of anyone who is not a United States citizen, including permanent resident aliens and illegal immigrants. Officers should refer to the diplomatic and consular contacts policy (#432) for proper protocol.

429.3 DEFINITIONS

ICE/CBP – Immigration and Customs Enforcement, or Customs and Border Protection.

Reasonable suspicion - when an officer is aware of specific, articulable facts which, when considered with objective and reasonable inferences, form a basis for particularized suspicion. The requirement of particularized suspicion encompasses two elements. First, the assessment must be based upon the totality of the circumstances. Second, that assessment must create a reasonable suspicion that the particular person is unlawfully present in the United States.

ICE Referral Form- Form (attached) that is utilized by officer to document aliens that have civil only detainers, administrative warrants, or any detainee questioned and suspected of unlawful immigrant status but released. This form will be documented with an FPD DR, and turned into Records via the normal report submission process. Records will forward this form to ICE.

429.4 CONSENSUAL CONTACTS

- (a) State laws related to immigration enforcement neither expand nor limit an officer's ability to approach a person and engage that person in a voluntary conversation.

Flagstaff Police Department

Flagstaff PD Policy Manual

Immigration Enforcement

During that conversation, the officer may inquire about any subject matter. The person contacted does not have to answer questions or produce any identification, but may choose to do so voluntarily. Officers do not have the authority to demand that a person "show their papers." If during the contact, the officer develops reasonable suspicion that the person has committed, is committing or is about to commit a crime, then the officer should proceed as provided in Section V below.

- (b) Officers should exercise discretion in making immigration status inquiries during consensual contacts with juveniles, victims and witnesses of crime. Officers are strongly advised to refrain from making such inquiries of victims, witnesses, or those making citizen's complaints as discouraging cooperation is likely to hinder or obstruct the investigation and can negatively impact overall community trust and confidence. Immigration status inquiries should only be made when necessary to further an investigation. In order to avoid perceptions of bias based policing (including racial profiling) during consensual contacts, officers should be consistent in asking persons for their identification.
- (c) In no event shall race, color or national origin play any role in an officer's decision to inquire about immigration status in consensual encounters.

429.5 PERSONS LAWFULLY STOPPED OR DETAINED

If, during the course of a lawful stop or detention of a person ("detainee"), an officer subsequently develops reasonable suspicion to believe a detainee is an alien and is unlawfully present in the U.S., the officer must make a reasonable attempt to determine the immigration status of the detainee with ICE/CBP. There are two exceptions to this requirement:

- (a) When it is not practicable
 - 1. In determining whether it is practicable, officers should consider things such as work load, criticality of incident and of other present duties, available personnel on scene, location, available back-up, ability to contact ICE/CBP and availability of ICE/CBP.
- (b) When the determination may hinder or obstruct an investigation
 - 1. The officer should consider when or whether to investigate immigration status in light of the need for suspect, victim and witness cooperation in an investigation (this consideration is not necessarily limited to the investigation for which you have detained the person). For example, complex investigations of money laundering, human trafficking and drug smuggling may require significant cooperation of those involved.

In establishing whether there is reasonable suspicion to believe a person is an alien and unlawfully present in the U.S., an officer shall not consider the detainee's race, color or national origin, except to the extent that an officer may ask about a person's citizenship. If the detainee presents one of the following types of identification, it is presumed that the detainee is lawfully present in the U.S.

Flagstaff Police Department

Flagstaff PD Policy Manual

Immigration Enforcement

No further investigation into the person's status is necessary, unless there are additional facts that cast doubt on the person's lawful presence:

- (a) A valid Arizona driver license,
- (b) A valid Arizona non-operating identification license,
- (c) A valid tribal enrollment card or other form of tribal identification, or
- (d) If the entity requires proof of legal presence in the U.S. before issuance, any valid U.S. federal, state or local government issued identification.

If reasonable suspicion exists to believe the person is unlawfully present, and if the detainee does not present presumptive identification or meet one of the exceptions that are listed in section 429.5 (a) and (b) above, the officer shall make a reasonable attempt to determine the person's immigration status. In determining whether reasonable suspicion of unlawful presence exists, officers should consider all relevant factors, including, among others:

- (a) lack of or false identification (if otherwise required by law)
- (b) possession of foreign identification
- (c) flight and/or preparation for flight; engaging in evasive maneuvers, in vehicle, on foot, etc.
- (d) voluntary statements by the person regarding their citizenship or lawful presence
 - (a) Note that if the person is in custody for purposes of Miranda, s/he may not be questioned about immigration status until after the reading and waiver of Miranda rights.
- (e) foreign vehicle registration
- (f) counter-surveillance or lookout activity
- (g) in company of other unlawfully present aliens
- (h) location, including for example:
 - (a) place where unlawfully present aliens are known to congregate looking for work
 - (b) a location known for human smuggling or known smuggling routes
- (i) traveling in tandem
- (j) vehicle is overcrowded or rides heavily
- (k) passengers in vehicle attempt to hide or avoid detection
- (l) prior information about the person
- (m) inability to provide their residential address
- (n) claim of not knowing others in same vehicle or at same location
- (o) providing inconsistent or illogical information
- (p) dress

Flagstaff Police Department

Flagstaff PD Policy Manual

Immigration Enforcement

- (q) demeanor " for example, unusual or unexplained nervousness, erratic behavior, refusal to make eye contact
- (r) significant difficulty speaking English

When reasonable suspicion exists to believe a detainee is an alien and present in the U.S. unlawfully but there are no state or local criminal violations, the officer shall contact ICE/CBP, unless presumptive identification is presented or one of the exceptions in 429.5 (a) and (b) of this order applies.

- (a) The officer through dispatch shall contact the ICE Law Enforcement Support Center at 1-802-872-6020 to advise the Center that the officer has a person detained and needs to have the person's name, date of birth and alien number (if available) checked in the ICE database.
- (b) If ICE/CBP advises the officer that there are federal criminal charges against the detainee, then the officer shall determine whether ICE/CBP will respond to take the person into custody or whether the officer should arrest the detainee and transport them to the Coconino County Jail.
- (c) If ICE/CBP advises the officer that the detainee only has federal civil charges, then the officer shall ask whether ICE/CBP will respond. The officer may not extend the initial lawful stop based upon the federal civil charges. Once the investigation related to the initial lawful stop has been completed, the detainee must be released unless the officer has developed reasonable suspicion or probable cause relating to other criminal activity. Without the person's consent, officers shall not transport the person based solely upon a federal civil violation.
- (d) If ICE/CBP is unable to indicate whether the federal charge against the detainee is civil or criminal, then the officer shall treat the charge as civil pursuant to paragraph (3) above.
- (e) If ICE/CBP does not answer or if they are unable to immediately verify that the detainee is unlawfully present, ICE/CBP should be asked to re-contact the officer if and when any information is available. The officer may then proceed to process the detainee as the officer would otherwise under our existing procedures. The officer shall not extend the detention solely to wait for ICE/CBP to respond. If the officer obtained relevant information during the lawful stop, the officer shall fill out an ICE referral form. The referral form will be submitted to records with the accompanying documents (Citation, Warning, etc) The referral report shall be submitted to ICE by records.
- (f) If ICE/CBP verifies the subject has no records or is not wanted for civil or criminal charges, the officer does not need to complete the Ice Referral Form as long as the reasonable suspicion to conduct the inquiry will be covered in the call notes or a connecting report.
- (g) The U.S. Department of State does not consider it necessary to make consular notification in instances where the detention of a foreign national is for a short period of time. A routine traffic stop or accident investigation generally will not detain the national for more than a brief time, so notification is not necessary.

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- (h) Juveniles who are detained based upon reasonable suspicion to believe they are involved in criminal activity shall not be asked about immigration status without the presence of a parent, guardian or attorney. Officers may ask for presumptive identification if appropriate, and may consider statements offered by the juvenile in determining whether reasonable suspicion exists to believe the juvenile detainee is unlawfully present in the U.S.

429.5.1 DOCUMENTATION OF REASONABLE SUSPICION

- (a) If an officer does an Ice inquiry on a stop or FI, and the suspect comes back clear Officers must list their reasonable suspicion in the call notes of the stop or FI (on the MDC).
- (b) If an officer does not get a timely return from ICE, the officer will complete the Ice Referral Form, where they will list their reasonable suspicion.
- (c) If an officer receives a civil hit, the officer will list their reasonable suspicion in the Ice Referral form.
- (d) If an officer receives a criminal hit they will list their reasonable suspicion in the report.
- (e) Detectives will cover how they established reasonable suspicion in their detective supplemental report.

429.6 ARRESTS

- (a) Officers are required to verify the immigration status of all arrestees unless it can be verified through one of the forms of presumptive identification as outlined above.
- (b) When an officer arrests a person for a misdemeanor and is considering whether to cite and release the person, and has reasonable suspicion to believe the individual is undocumented, the officer through dispatch shall contact the ICE Law Enforcement Support Center at 1-802-872-6020 to advise the Center that an officer has a person under arrest and needs to have the person's name, date of birth and alien number (if available) checked in the ICE database.
 1. If ICE/CBP does not answer or if ICE/CBP is unable to verify that the arrestee is unlawfully present, then the officer will proceed to handle the arrestee according to agency policy, which may result in the issuance of a citation/referral and the release of the arrestee.
 2. If ICE/CBP verifies that the person has federal civil or criminal charges, then the officer may ask the federal agency to transport the person, the officer may transport the person to the agency, or the officer may transport the person to jail for booking on the state charges. FPD officers will not transport persons to jail on federal civil charges alone.
 3. If verification is made by the agency, the fact that verification was made and by whom will be documented in the DR.

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- (c) When an officer arrests a person and is going to book the person into a jail facility, it is still necessary for the officer to contact ICE/CBP through dispatch to verify that the arrestee is lawfully present (unless they have presumptive identification). The fact that verification was made and by whom will be documented in the DR. Again if ICE/CBP does not answer or if ICE/CBP is unable to verify that the arrestee is unlawfully present, then the officer will proceed to complete the ICE Referral Form. As required by Arizona law, all persons who are to be booked into jail shall be asked about their country of citizenship, with the answer/s documented in the departmental report:
1. What is your country of citizenship?
 2. Where were you born?
 - (a) If the answer is other than the United States, officers will ask the arrested person if they have dual United States citizenship. Additionally, the following questions should be asked, but only after Miranda warnings have been given (if a juvenile, use appropriate Miranda warnings) and a waiver obtained.
 1. Are you in the United States legally?
 2. Do you have any registration documents or other proof of lawful presence?
- (d) In situations where a Foreign National is arrested but cited and released a short time later, it is unnecessary to notify their consulate. If, however, the Foreign National is being detained for a significant length of time (whether or not they are under arrest), it becomes necessary to advise the Foreign National of their right to have their consulate notified of their arrest or detention. Booking a Foreign National into jail or detaining them for several hours while questioning would require the officer to make the admonishment and any requested notification. This applies for the arrest of any Foreign National, whether they are in this country legally or not.

429.7 DETENTION AND REMOVAL ORDER (DRO) HOLDS (USUALLY A NCIC HIT)

- (a) The Detention and Removal Office is a unit of ICE that has the responsibility of detaining and transporting undocumented persons apprehended by ICE, CBP and local law enforcement.
- (b) Once a person has been identified as being in the United States unlawfully, ICE will issue a DRO hold, which can be for criminal or civil violations.
 1. This hold will be similar to a warrant notification when a person's information is run through NCIC.
- (c) If an officer or dispatch receives a DRO notification from ICE, the following will be done:

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1. Call the phone number on the DRO notification to determine whether the DRO hold is criminal or civil.
 2. Detain and transport for criminal orders, if requested to do so by ICE.
 3. Complete a departmental report containing all relevant information.
- (d) Without the person's consent, officers will not transport for civil violations or continue to detain if the only violation is a civil DRO hold.
- (e) Consular notification procedures shall be followed if an arrest and transport is made.

429.8 NCIC ICE IMMIGRATION VIOLATOR FILE

- (a) ICE keeps a record of aliens who have been convicted of a felony crime in the United States and have since been deported to their country of citizenship. This record is known as the Deported Felon File which is located in the NCIC Immigration Violator File.
- (b) The Immigration Violator File contains the following additional categories:
1. The ICE Absconder category, which contains the records for individuals with an outstanding administrative warrant of removal from the United States who have unlawfully remained in the United States.
 2. The ICE National Security Entry/Exit Registration System (NSEERS) category, which contains the records for individuals whom the Department of Homeland Security (DHS) and ICE have determined have violated registration requirements for entry into the United States.
 3. ICE enters this information into the NCIC Immigration Violator File.
 4. Police officers will not take enforcement action on Administrative Warrants or NSEERS hits, as these are civil or other non-criminal federal matters.
 5. The NCIC query results will advise whether the information displayed is an Administrative Warrant hit or a Deported Felon File hit.
- (c) If an officer runs a person who is the subject of a Deported Felon File notification, and there are no local charges, the following steps will be taken:
1. Verify through physical description (scars, marks, tattoos, etc.), admission, or other available information, that the person on the notification is the same person.
 2. Contact the ICE Law Enforcement Service Center in Vermont through the communications dispatcher or call directly at 802-872-6020.

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3. Once the hit has been confirmed, officers will positively identify the subject through LiveScan, or fingerprint the individual and fax the fingerprints to ICE at FAX 602-379-4502.
 4. After the subject has been positively identified, CCSO Detention personnel will arrange for pick-up and disposition of the subject.
- (d) Officers will complete a departmental report titled "NCIC Immigration Hit" with the following information:
1. Subject's name and personal information.
 2. Time, place and reason for contacting the subject.
 3. Name and badge number of ICE agent that took custody of subject (if applicable).
- (e) If there are local charges along with a Deported Felon notification, there is no need to contact ICE. Follow normal booking procedures.

429.9 DOCUMENTATION

Officers are reminded of their responsibility to thoroughly document all facts and circumstances in a DC1, DC2, F.I., or ICE Referral Form (whichever is applicable) supporting their decisions in the application of this statute. They will include hardcopy responses from dispatch with all reports.

429.10 DISPATCH RESPONSIBILITIES

- (a) The Dispatch Center shall conduct all ICE verification for all arrests made by members of the Flagstaff Police Department even when the suspect is booked. Dispatch will be contacted by arresting officers with a request that verification be made through The ICE Law Enforcement Center at 1-802-872-6020 or by NLETS.
- (b) When Dispatch completes the NLETS inquiry to verify whether a person is an alien and unlawfully present in the U.S., the inquiry will include the following information:
1. Is there any record that the person has ever completed an alien registration document?
 2. Whether the person has any other authorization from the federal government to remain in the U.S.
 3. Is the violation criminal or civil?
- (c) All NLETS requests and returns shall be placed in a box specifically labeled for this purpose and made available for access by patrol officers. These documents shall be included with the officer's reports.

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429.11 RECORDS RESPONSIBILITIES

Records will receive the ICE referral form via the normal report submission process and will be treated like a DC2 report. The Records Clerk will be responsible to scan a copy of the Ice Referral Form and attach it to the incident. A copy of the form will be forwarded to ICE.

429.12 ICE REFERRAL FORM

See attachment: ICE Form.JPG

429.13 U-VISA REQUESTS

The Victims of Trafficking and Violence Prevention Act (VTVPA) of 2000 encourages victims to report crimes and contribute to criminal investigations and prosecutions regardless of immigration status as well as supports law enforcement efforts to investigate and prosecute crimes committed against immigrant victims. The U-Visa provides eligible victims with nonimmigrant status to temporarily remain in the United States while assisting law enforcement. (U-Visa Law Enforcement Certification Resource Guide)

U-Visas are available through United States Citizenship and Immigration Services for undocumented foreign nationals who are current or former victims, witnesses, or affected family who are assisting or have assisted officials in the criminal justice system investigate or prosecute criminal activity.

Note: An agency's decision to provide a certification is entirely discretionary; the agency is under no legal obligation to complete a Form I-918 Supplement B for any undocumented foreign national.

1. VICTIMS INQUIRING ABOUT APPLYING FOR U-VISA OR REQUESTING assistance with completing an application should be directed to Coconino County Victim Witness Services or to obtain an attorney to assist them in the process. Officers are encouraged to also refer interested victims to www.usis.gov for more information.

2. ALL REQUESTS FOR U NONIMMIGRANT STATUS CERTIFICATION (USCIS) FORM I-918 SUPPLEMENT B (I-918B) SHALL be forwarded to the Lieutenant of the Detective Division for review and coordination in processing the request.

3. THE LIEUTENANT , OR A DESGINEE WILL:

a. Log the request and coordinate with the investigating officers and the affected prosecuting agency in making the determination to recommend and forward the form I-918B to the Chief or the Chief's designee for final review.

b. Refer to instructions for the form provided by Department of Homeland Security when making this determination

c. Consider forwarding completed request to the Chief or the Chief's designee for review if the applicant:

1) Is a victim of a qualifying crime,

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- 2) Possess specific knowledge and details of the crime, and
 - 3) Has been, is being, or is likely to be helpful to law enforcement in the detection, investigation or prosecution of the qualifying crime.
- d. Determine if any additional information will be provided along with the certification, such as copies of police reports, any harm sustained by the victim that is known to the police department, or information regarding contacts with the applicant. Indicate on the form additional information is being provided, provide the form and the additional documentation to the applicant, retain a copy of the form and documents and send a copy separately to USCIS Vermont Service Center.
- e. Log the disposition of each request
- f. Send written notification to USCIS-Vermont Service Center if a victim unreasonably refuses to assist in the investigation or prosecution of their case after the form I-918B has been certified to Include the victim's name, date of birth, and A-number (if available) on all correspondence.

Attachments

ICE Form.JPG



Flagstaff Police Department ICE Referral Form

911 E. Sawmill Road
Flagstaff, Arizona 86001

FAX: (928) 779-2703
Police Records: (928) 214-2530

Reason for Contact (Call for Service, Traffic Stop, Subject Stop, etc.):

DR #:

Relevant Factors to consider when determining reasonable suspicion that the person(s) is/are unlawfully present:

- Lack of a valid ID Possession of foreign ID Flight and/or preparation for flight Voluntary statements Foreign vehicle registration
 Combative, evasive or evasive activity In company of other unlawfully present aliens Location Traveling in a vehicle
 Person gets in vehicle attempt to hide or avoid detection Prior information about the person Inability to provide residential address
 Claims of not knowing their means vehicle or at same location Providing inconsistent or false information Suspicious demeanor
 Significant difficulty speaking English Other Relevant Factor: (explain)

Subject's Name: LAST FIRST MIDDLE

Last Sex Date of Birth Country of Birth

Height Weight Hair Eyes Complexion Scars/Tattoos

ID Present? Yes No ID Type ID Number, State, etc.

Home Address Home Phone

Work Home/Address Work Phone

Work Days Work Hours Occupation Length of Employment

Gang Affiliation Alias/AKA's

Vehicle Year Make Model Style Color

Vehicle Plate # Year State VIN

Is registered Owner

Officer's Name Serial# Duty Phone

Narrative: _____

Supervisor's Name/Signature: _____ ID# _____

ICE contact information: ICE 24 hour contact: 1-(800) 973-2867, ICE Law Enforcement Support Center (NLETS Inquiry): 1-(802) 872-6020, Tucson Customs & Border Protection: (520) 836-7812, ICE Phoenix Duty Agent: (602) 379-3116

**§ 11-1051. Cooperation and assistance in enforcement
of immigration laws; indemnification**

A. No official or agency of this state or a county, city, town or other political subdivision of this state may limit or restrict the enforcement of federal immigration laws to less than the full extent permitted by federal law.

B. For any lawful stop, detention or arrest made by a law enforcement official or a law enforcement agency of this state or a law enforcement official or a law enforcement agency of a county, city, town or other political subdivision of this state in the enforcement of any other law or ordinance of a county, city or town or this state where reasonable suspicion exists that the person is an alien and is unlawfully present in the United States, a reasonable attempt shall be made, when practicable, to determine the immigration status of the person, except if the determination may hinder or obstruct an investigation. Any person who is arrested shall have the person's immigration status determined before the person is released. The person's immigration status shall be verified with the federal government pursuant to 8 United States Code § 1373(c). A law enforcement official or agency of this state or a county, city, town or other political subdivision of this state may not consider race, color or national origin in implementing the requirements of this subsection except to the extent permitted by the United States or Arizona Constitution. A person is presumed to not be an alien who is unlawfully present in the United States if the person provides to the law enforcement officer or agency any of the following:

1. A valid Arizona driver license.
2. A valid Arizona nonoperating identification license.
3. A valid tribal enrollment card or other form of tribal identification.
4. If the entity requires proof of legal presence in the United States before issuance, any valid United States federal, state or local government issued identification.

C. If an alien who is unlawfully present in the United States is convicted of a violation of state or local law, on discharge from imprisonment or on the assessment of any monetary obligation that is imposed, the United States immigration and customs enforcement or the United States customs and border protection shall be immediately notified.

D. Notwithstanding any other law, a law enforcement agency may securely transport an alien who the agency has received verification is unlawfully present in the United States and who is in the agency's custody to a federal facility in this state or to any other point of transfer into federal custody that is outside the jurisdiction of the law enforcement agency. A law enforcement agency shall obtain judicial authorization before securely transporting an alien who is unlawfully present in the United States to a point of transfer that is outside of this state.

E. In the implementation of this section, an alien's immigration status may be determined by:

1. A law enforcement officer who is authorized by the federal government to verify or ascertain an alien's immigration status.
2. The United States immigration and customs enforcement or the United States customs and border protection pursuant to 8 United States Code § 1373(c).

F. Except as provided in federal law, officials or agencies of this state and counties, cities, towns and other political subdivisions of this state may not be prohibited or in any way be restricted from sending, receiving or maintaining information relating to the immigration status, lawful or unlawful, of any individual or exchanging that information with any other federal, state or local governmental entity for the following official purposes:

1. Determining eligibility for any public benefit, service or license provided by any federal, state, local or other political subdivision of this state.
2. Verifying any claim of residence or domicile if determination of residence or domicile is required under the laws of this state or a judicial order issued pursuant to a civil or criminal proceeding in this state.
3. If the person is an alien, determining whether the person is in compliance with the federal registration laws prescribed by title II, chapter 7 of the federal immigration and nationality act.
4. Pursuant to 8 United States Code § 1373 and 8 United States Code § 1644.

G. This section does not implement, authorize or establish and shall not be construed to implement, authorize or establish the REAL ID act of 2005 (P.L. 109-13, division B; 119 Stat. 302), including the use of a radio frequency identification chip.

H. A person who is a legal resident of this state may bring an action in superior court to challenge any official or agency of this state or a county, city, town or other political subdivision of this state that adopts or implements a policy that limits or restricts the enforcement of federal immigration laws, including 8 United States Code §§ 1373 and 1644, to less than the full extent permitted by federal law. If there is a judicial finding that an entity has violated this section, the court shall order that the entity pay a civil penalty of not less than five hundred dollars and not more than five thousand dollars for each day that the policy has remained in effect after the filing of an action pursuant to this subsection.

I. A court shall collect the civil penalty prescribed in subsection H of this section and remit the civil penalty to the state treasurer for deposit in the gang and immigration intelligence team enforcement mission fund established by § 41-1724.

J. The court may award court costs and reasonable attorney fees to any person or any official or agency of this state or a county, city, town or other political subdivision of this state that prevails by an adjudication on the merits in a proceeding brought pursuant to this section.

K. Except in relation to matters in which the officer is adjudged to have acted in bad faith, a law enforcement officer is indemnified by the law enforcement officer's agency against reasonable costs and expenses, including attorney fees, incurred by the officer in connection with any action, suit or proceeding brought pursuant to this section in which the officer may be a defendant by reason of the officer being or having been a member of the law enforcement agency.

L. This section shall be implemented in a manner consistent with federal laws regulating immigration, protecting the civil rights of all persons and respecting the privileges and immunities of United States citizens.

U.S. DEPARTMENT OF JUSTICE**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the U.S. Department of Justice ("Department") determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by 31 U.S.C. § 1352, as implemented by 28 C.F.R. Part 69, the Applicant certifies and assures (to the extent applicable) the following:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Applicant, 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, or the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If the Applicant's request for Federal funds is in excess of \$100,000, and 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 Applicant shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities" in accordance with its (and any DOJ awarding agency's) instructions; and

(c) The Applicant shall require that the language of this certification be included in the award documents for all subgrants and procurement contracts (and their subcontracts) funded with Federal award funds and shall ensure that any certifications or lobbying disclosures required of recipients of such subgrants and procurement contracts (or their subcontractors) are made and filed in accordance with 31 U.S.C. § 1352.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

A. Pursuant to Department regulations on nonprocurement debarment and suspension implemented at 2 C.F.R. Part 2867, and to other related requirements, the Applicant certifies, with respect to prospective participants in a primary tier "covered transaction", as defined at 2 C.F.R. § 2867.20(a), that neither it nor any of its principals—

(a) is 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;

(b) has within a three-year period preceding this application been convicted of a felony criminal violation under any Federal law, or been convicted or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, tribal, or local) transaction or private agreement or transaction;

(c) is presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, tribal, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and/or

(d) has within a three-year period preceding this application had one or more public transactions (Federal, State, tribal, or local) terminated for cause or default.

B. Where the Applicant is unable to certify to any of the statements in this certification, it shall attach an explanation to this application. Where the Applicant or any of its principals was convicted, within a three-year period preceding this application, of a felony criminal violation under any Federal law, the Applicant also must disclose such felony criminal conviction in writing to the Department (for OJP Applicants, to OJP at Ojpcompliancereporting@usdoj.gov; for OVW Applicants, to OVW at OVW.GFMD@usdoj.gov; or for COPS Applicants, to COPS at AskCOPSRC@usdoj.gov), unless such disclosure has already been made.

3. FEDERAL TAXES

A. If the Applicant is a corporation, it certifies either that (1) the corporation has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, or (2) the corporation has provided written notice of such an unpaid tax liability (or liabilities) to the Department (for OJP Applicants, to OJP at Ojpcompliancereporting@usdoj.gov; for OVW Applicants, to OVW at OVW.GFMD@usdoj.gov; or for COPS Applicants, to COPS at AskCOPSRC@usdoj.gov).

B. Where the Applicant is unable to certify to any of the statements in this certification, it shall attach an explanation to this application.

4. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, as implemented at 28 C.F.R. Part 83, Subpart F, for grantees, as defined at 28 C.F.R. §§ 83.620 and 83.650:

A. The Applicant certifies and assures that it will, or will continue to, provide a drug-free workplace by--

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

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

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the award be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the award, the employee will--

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of the employee's conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the Department, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title of any such convicted employee to the Department, as follows:

For COPS award recipients - COPS Office, 145 N Street, NE, Washington, DC, 20530;

For OJP and OVW award recipients - U.S. Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 7th Street, N.W., Washington, D.C. 20531.

Notice shall include the identification number(s) of each affected award;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) 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

(2) 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; and

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

5. COORDINATION REQUIRED UNDER PUBLIC SAFETY AND COMMUNITY POLICING PROGRAMS

As required by the Public Safety Partnership and Community Policing Act of 1994, at 34 U.S.C. § 10382 (c)(5), if this application is for a COPS award, the Applicant certifies that there has been appropriate coordination with all agencies that may be affected by its award. Affected agencies may include, among others, Offices of the United States Attorneys; State, local, or tribal prosecutors; or correctional agencies.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the Applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that the Department's awards, including certifications provided in connection with such awards, are subject to review by the Department, including by its Office of the Inspector General.

Close Window



OMB APPROVAL NUMBER 1121-0140

EXPIRES 05/31/2019

U.S. DEPARTMENT OF JUSTICE

CERTIFIED STANDARD ASSURANCES

On behalf of the Applicant, and in support of this application for a grant or cooperative agreement, I certify under penalty of perjury to the U.S. Department of Justice ("Department"), that all of the following are true and correct:

(1) I have the authority to make the following representations on behalf of myself and the Applicant. I understand that these representations will be relied upon as material in any Department decision to make an award to the Applicant based on its application.

(2) I certify that the Applicant has the legal authority to apply for the federal assistance sought by the application, and that it has the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project costs) to plan, manage, and complete the project described in the application properly.

(3) I assure that, throughout the period of performance for the award (if any) made by the Department based on the application--

- a. the Applicant will comply with all award requirements and all federal statutes and regulations applicable to the award;
- b. the Applicant will require all subrecipients to comply with all applicable award requirements and all applicable federal statutes and regulations; and
- c. the Applicant will maintain safeguards to address and prevent any organizational conflict of interest, and also to prohibit employees from using their positions in any manner that poses, or appears to pose, a personal or financial conflict of interest.

(4) The Applicant understands that the federal statutes and regulations applicable to the award (if any) made by the Department based on the application specifically include statutes and regulations pertaining to civil rights and nondiscrimination, and, in addition--

- a. the Applicant understands that the applicable statutes pertaining to civil rights will include section 601 of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); section 901 of the Education Amendments of 1972 (20 U.S.C. § 1681); and section 303 of the Age Discrimination Act of 1975 (42 U.S.C. § 6102);
- b. the Applicant understands that the applicable statutes pertaining to nondiscrimination may include section 809(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c)); section 1407(e) of the Victims of Crime Act of 1984 (34 U.S.C. § 20110(e)); section 299A(b) of the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); and that the grant condition set out at section 40002(b)(13) of the Violence Against Women Act (34 U.S.C. § 12291(b)(13)), which will apply to all awards made by the Office on Violence Against Women, also may apply to an award made otherwise;

- c. the Applicant understands that it must require any subrecipient to comply with all such applicable statutes (and associated regulations); and
- d. on behalf of the Applicant, I make the specific assurances set out in 28 C.F.R. §§42.105 and 42.204.

(5) The Applicant also understands that (in addition to any applicable program-specific regulations and to applicable federal regulations that pertain to civil rights and nondiscrimination) the federal regulations applicable to the award (if any) made by the Department based on the application may include, but are not limited to, 2 C.F.R. Part 2800 (the DOJ "Part 200 Uniform Requirements") and 28 C.F.R. Parts 22 (confidentiality - research and statistical information), 23 (criminal intelligence systems), 38 (regarding faith-based or religious organizations participating in federal financial assistance programs), and 46 (human subjects protection).

(6) I assure that the Applicant will assist the Department as necessary (and will require subrecipients and contractors to assist as necessary) with the Department's compliance with section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108), the Archeological and Historical Preservation Act of 1974 (54 U.S.C. §§ 312501-312508), and the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4335), and 28 C.F.R. Parts 61 (NEPA) and 63 (floodplains and wetlands).

(7) I assure that the Applicant will give the Department and the Government Accountability Office, through any authorized representative, access to, and opportunity to examine, all paper or electronic records related to the award (if any) made by the Department based on the application.

(8) I assure that, if the Applicant is a governmental entity, with respect to the award (if any) made by the Department based on the application--

- a. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
- b. it will comply with requirements of 5 U.S.C. §§ 1501-1508 and 7324-7328, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

(9) If the Applicant applies for and receives an award from the Office of Community Oriented Policing Services (COPS Office), I assure that as required by 34 U.S.C. § 10382(c)(11), it will, to the extent practicable and consistent with applicable law--including, but not limited to, the Indian Self-Determination and Education Assistance Act--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, as provided under 34 U.S.C. § 10382(c)(11).

(10) If the Applicant applies for and receives a DOJ award under the STOP School Violence Act program, I assure as required by 34 U.S.C. § 10552(a)(3), that it will maintain and report such data, records, and information (programmatic and financial) as DOJ may reasonably require.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the Applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that the Department's awards, including certifications provided in connection with such awards, are subject to review by the Department, including by its Office of the Inspector General.