

INTRADEPARTMENTAL CORRESPONDENCE

RECEIVED IF

FEB 27 2020

POLICE COMMISSION

February 6, 2020  
14.1

RECEIVED  
*[Signature]*  
RICHARD M. TEFANK DATE  
EXECUTIVE DIRECTOR

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: TRANSMITTAL OF THE GRANT APPLICATION AND AWARD FOR THE FISCAL YEAR 2019-2021 INTELLECTUAL PROPERTY ENFORCEMENT PROGRAM GRANT

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE this report.
2. That the Board TRANSMIT the attached grant application, pursuant to Administrative Code Section 14.6(a), to the Mayor, Office of the City Administrative Officer (CAO), Office of the Chief Legislative Analyst and to the City Clerk for committee and City Council consideration.
3. That the Board REQUEST the Mayor and City Council to:
  - A. AUTHORIZE the Chief of Police to:
    - a. Retroactively APPLY for and ACCEPT the grant award for the Fiscal Year 2019-2021 Intellectual Property Enforcement Program (FY 2019-2021 IPEP) Grant in the amount up to \$352,000 for the period of October 1, 2019 through September 30, 2021, from the Bureau of Justice Administration, United States Department of Justice;
    - b. Negotiate and execute the Cooperative Agreement, subject to City Attorney approval as to form and legality;
    - c. Negotiate and execute a Memorandum of Agreement with the Los Angeles County Sheriff's Department (LASD) for a term of two years within the applicable grant performance period, for a sum not to exceed \$148,800 for LASD's investigative role in the LASD Counterfeit and Piracy Enforcement Team, subject to the approval of the City Attorney as to form;
  - B. AUTHORIZE the Los Angeles Police Department (LAPD) to:
    - a. Spend up to the grant amount of \$352,000 in accordance with the grant award agreement;
    - b. Submit grant reimbursement requests to the grantor and deposit grant receipts in Fund No. 339, Department No. 70;

- c. Prepare Controller instructions for any technical adjustments, subject to the approval of the CAO, and AUTHORIZE and INSTRUCT the Controller to implement the instructions.

C. AUTHORIZE the Controller to:

- a. Establish a grant receivable and appropriate \$352,000 to appropriation account, account number to be determined, within Fund No. 339/70, for the receipt and disbursement of the FY 2019-2021 IPEP grant funds.
- b. Increase appropriations for the FY 2019-2021 IPEP as needed from appropriation account number to be determined in Fund No. 339/70, to Fund No. 100/70, account number and amount as follows:

Account No. 001092, Sworn Overtime:       \$ 25,320

- c. Transfer \$8,000 from Fund 339/70, appropriation account to be determined, to Fund No. 100/12, Account No. 001010 – Salaries, General;

D. Instruct the City Clerk to:

- a. Place the following action relative to the 2019-2021 IPEP grant on the City Council Calendar on July 1, 2020, or the first meeting day thereafter:
  - i. Authorize the Controller to transfer from Fund No. 339/70, account number to be determined, to Fund 100/70, account number and amount as follows:

Account No. 001092, Sworn Overtime:       \$100,740

- ii. Authorize the Controller to transfer from Fund No. 339/70, account number to be determined, to Fund 100/12, account number and amount as follows:

Account No. 001010, Salaries, General:       \$32,000

- b. Place the following action relative to the 2019-2021 IPEP grant on the City Council Calendar on July 1, 2021, or the first meeting day thereafter:

- i. Authorize the Controller to transfer from Fund No. 339/70, account number to be determined, to Fund 100/70, account number and amount as follows:

Account No. 001092, Sworn Overtime:       \$25,140

- ii. Authorize the Controller to transfer from Fund No. 339/70, account number to be determined, to Fund 100/12, account number and amount as follows:

Account No. 001010, Salaries, General:       \$8,000

## DISCUSSION

The LAPD was a recipient of the Fiscal Year 2009, 2010, 2011, 2013, 2014, 2016, 2017, and 2018 Intellectual Property Enforcement Program Grants. Because of grant funding, LAPD has been able to dramatically strengthen its efforts in combating the proliferation of counterfeit goods; enforcing copyright, trademark, and patent laws; and deterring organized counterfeit manufacturing and distribution rings.

The LAPD Anti-Piracy Unit (APU) will be partnering with the Los Angeles County Sheriff's Department's (LASD) Counterfeit and Piracy Enforcement Team and the Los Angeles City Attorney's Office (LACA), labeled collectively as the Team, to implement the *2019-2021 LA Public Health & Safety Intellectual Property Crime Enforcement and Prevention Program*. The Team aims to implement strategies to reduce and prevent the spread of counterfeit/illicit pharmaceutical drugs and electronics/automobile parts throughout the Los Angeles (LA) region and to seek restrictive injunctions and significant financial penalties to abate counterfeit goods that threaten public health and safety.

The grant allocates \$151,200 for LAPD sworn overtime and \$148,800 for LASD sworn overtime for investigators to reduce and prevent the spread of counterfeit/illicit pharmaceutical drugs and electronics/automobile parts throughout LA. The LAPD-APU and LASD will also provide training and educational outreach. The City Attorney's Office has been allocated \$48,000 for salary costs to partially fund a Deputy City Attorney II who will dedicate 28% of their time to prosecute Intellectual Property-related crimes. The grant also allocates \$4,000 to purchase equipment for community training.

If you have any questions, please contact Senior Management Analyst Stella Larracas, Officer in Charge, Grants Section, Fiscal Operations Division, at (213) 486-0380.

Respectfully,

  
MICHEL R. MOORE  
Chief of Police

BOARD OF  
POLICE COMMISSIONERS  
Approved *March 3, 2020*  
Secretary *María Silva*

Attachments

## INTRADEPARTMENTAL CORRESPONDENCE

February 6, 2020  
14.1

**TO:** Chief of Police

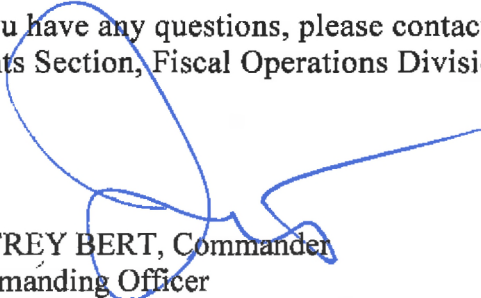
**FROM:** Commanding Officer, Risk Management and Legal Affairs Group

**SUBJECT:** TRANSMITTAL OF THE GRANT APPLICATION AND AWARD FOR THE FISCAL YEAR 2019-2021 INTELLECTUAL PROPERTY ENFORCEMENT PROGRAM GRANT

Attached for your approval and signature is an Intradepartmental Correspondence to the Board of Police Commissioners, requesting approval to transmit the attached grant application and award for the Fiscal Year 2019-2021 Intellectual Property Enforcement Program Grant, pursuant to Administrative Code Section 14.6(a), to the Mayor, Office of the City Administrative Officer, Office of the Chief Legislative Analyst and to the City Clerk for committee and City Council consideration. The Los Angeles Police Department (LAPD) is requesting authorization to accept the award of \$352,000 for the grant period of October 1, 2019 through September 30, 2021.

The LAPD Anti-Piracy Unit (APU) will be partnering with the Los Angeles County Sheriff's Department's (LASD) Counterfeit and Piracy Enforcement Team and the Los Angeles City Attorney's Office (LACA), labeled collectively as the Team, to implement the *2019-2021 LA Public Health & Safety Intellectual Property Crime Enforcement and Prevention Program*. The Team aims to implement strategies to reduce and prevent the spread of counterfeit/illicit pharmaceutical drugs and electronics/automobile parts throughout the Los Angeles (LA) region and to seek restrictive injunctions and significant financial penalties to abate counterfeit goods that threaten public health and safety. The grant allocates \$151,200 for LAPD sworn overtime and \$148,800 for LASD sworn overtime for investigators to reduce and prevent the spread of counterfeit/illicit pharmaceutical drugs and electronics/automobile parts throughout LA. The LAPD-APU and LASD will also provide training and educational outreach. The LACA has been allocated \$48,000 for salary costs to partially fund a Deputy City Attorney II who will dedicate 28% of their time to prosecute Intellectual Property-related crimes. The grant also allocates \$4,000 to purchase equipment for community training.

If you have any questions, please contact Senior Management Analyst Barbra Montesquieu, Grants Section, Fiscal Operations Division, at (213) 486-0380.



JEFFREY BERT, Commander  
Commanding Officer  
Risk Management and Legal Affairs Group

Attachments



**U.S. Department of Justice**

Office of Justice Programs

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Office of the Assistant Attorney General

Washington, D.C. 20531

September 26, 2019

Chief Michel R. Moore  
City of Los Angeles  
200 N. Spring Street  
SW Mezzanine, Rm. M175  
Los Angeles, CA 90012

Dear Chief Moore:

On behalf of Attorney General William P. Barr, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 19 The Intellectual Property Enforcement Program: Protecting Public Health, Safety, and the Economy from Counterfeit Goods and Product Piracy in the amount of \$352,000 for City of Los Angeles.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Tahitia Barringer, Program Manager at (202) 616-3294; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov).

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Katharine T. Sullivan", is written over a horizontal line.

Katharine T. Sullivan  
Principal Deputy Assistant Attorney General

Enclosures



U.S. Department of Justice  
Office of Justice Programs  
Office of Civil Rights

Washington, DC 20531

September 26, 2019

Chief Michel R. Moore  
City of Los Angeles  
200 N. Spring Street  
SW Mezzanine, Rm. M175  
Los Angeles, CA 90012

Dear Chief Moore:

Congratulations on your recent award! The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, require recipients of federal financial assistance to give assurances that they will comply with those laws. In addition to those civil rights laws, many grant program statutes contain nondiscrimination provisions that require compliance with them as a condition of receiving federal financial assistance. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with OJP and other DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a non-discriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5). Please submit information about any adverse finding to the OCR at the above address.

We at the OCR are available to help you and your organization meet the civil rights requirements that are associated with OJP and other DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to let us know.

Sincerely,

Michael L. Alston  
Director

cc: Grant Manager  
Financial Analyst



U.S. Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

Grant

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1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City of Los Angeles 200 N. Spring Street SW Mezzanine, Rm. M175 Los Angeles, CA 90012	4. AWARD NUMBER: 2019-IP-BX-0004	
	5. PROJECT PERIOD: FROM 10/01/2019 TO 09/30/2021 BUDGET PERIOD: FROM 10/01/2019 TO 09/30/2021	
	6. AWARD DATE 09/26/2019	7. ACTION
2a. GRANTEE IRS/VENDOR NO. 956000735	8. SUPPLEMENT NUMBER 00	Initial
2b. GRANTEE DUNS NO. 037848012	9. PREVIOUS AWARD AMOUNT \$ 0	
3. PROJECT TITLE FY 19 Intellectual Property Program	10. AMOUNT OF THIS AWARD	\$ 352,000
	11. TOTAL AWARD	\$ 352,000

12. SPECIAL CONDITIONS  
THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).

13. STATUTORY AUTHORITY FOR GRANT  
This project is supported under FY19(BJA - IP Enforcement) Pub. L. No. 116-6, 133 Stat 13, 113

14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number)  
16.752 - Economic High-Tech and Cyber Crime Prevention

15. METHOD OF PAYMENT  
GPRS

AGENCY APPROVAL	GRANTEE ACCEPTANCE
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16. TYPED NAME AND TITLE OF APPROVING OFFICIAL  Katharine T. Sullivan Principal Deputy Assistant Attorney General	18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL  Michel R. Moore Chief
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17. SIGNATURE OF APPROVING OFFICIAL 	19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE
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AGENCY USE ONLY
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20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR FUND CODE BUD. ACT. DIV. OFC. REG. SUB. PQMS AMOUNT X B IP 80 00 00 352000	21. UTPUGT1704
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U.S. Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

**AWARD CONTINUATION  
SHEET  
Grant**

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PROJECT NUMBER 2019-IP-8X-0004

AWARD DATE 09/26/2019

*SPECIAL CONDITIONS*

**1. Requirements of the award; remedies for non-compliance or for materially false statements**

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award. By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts all such assurances or certifications as if personally executed by the authorized recipient official.

Failure to comply with any one or more of these award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period - may result in the Office of Justice Programs ("OJP") taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. The U.S. Department of Justice ("DOJ"), including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) 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 lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

**2. Applicability of Part 200 Uniform Requirements**

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2019 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2019 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2019 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.



U.S. Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

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PROJECT NUMBER 2019-IP-BX-0004

AWARD DATE 09/26/2019

*SPECIAL CONDITIONS*

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

5. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2017, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after – (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2017, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.



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PROJECT NUMBER 2019-IP-BX-0004

AWARD DATE 09/26/2019

*SPECIAL CONDITIONS*

**7. Requirement to report potentially duplicative funding**

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

**8. Requirements related to System for Award Management and Universal Identifier Requirements**

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).



U.S. Department of Justice  
Office of Justice Programs  
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**AWARD CONTINUATION  
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PROJECT NUMBER 2019-IP-BX-0004

AWARD DATE 09/26/2019

*SPECIAL CONDITIONS*

9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify ([www.e-verify.gov](http://www.e-verify.gov)), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or



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Office of Justice Programs  
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*SPECIAL CONDITIONS*

any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at [E-Verify@dhs.gov](mailto:E-Verify@dhs.gov). E-Verify employer agents can email E-Verify at [E-VerifyEmployerAgent@dhs.gov](mailto:E-VerifyEmployerAgent@dhs.gov).

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

11. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.



U.S. Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

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PROJECT NUMBER 2019-IP-BX-0004

AWARD DATE 09/26/2019

*SPECIAL CONDITIONS*

13. Unreasonable restrictions on competition under the award; association with federal government

**SCOPE.** This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.



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*SPECIAL CONDITIONS*

14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.



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*SPECIAL CONDITIONS*

19. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

20. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.



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24. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2019)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2019, are set out at <https://ojp.gov/funding/Explore/FY19AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient and any subrecipients ("subgrantees") must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 1425 New York Avenue, N.W. Suite 7100, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Fraud Detection Office (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.



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*SPECIAL CONDITIONS*

27. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.



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28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

29. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at [OJP.ComplianceReporting@ojp.usdoj.gov](mailto:OJP.ComplianceReporting@ojp.usdoj.gov). For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

31. The recipient agrees to submit to BJA for review and approval any curricula, training materials, proposed publications, reports, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) working days prior to the targeted dissemination date. Any written, visual, or audio publications, with the exception of press releases, whether published at the grantee's or government's expense, shall contain the following statements: "This project was supported by Grant No. 2019-IP-BX-0004 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the DOJ Grants Financial Guide provides guidance on allowable printing and publication activities.

32. The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.



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33. Any Web site that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service: "This Web site is funded in whole or in part through a grant from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)." The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.

34. Justification of consultant rate

Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the OJP program office prior to obligation or expenditure of such funds.

35. Copyright; Data rights

The recipient acknowledges that OJP reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) any work subject to copyright developed under an award or subaward (at any tier); and (2) any rights of copyright to which a recipient or subrecipient (at any tier) purchases ownership with Federal support.

The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under any such award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.227-14 (Rights in Data - General).

It is the responsibility of the recipient (and of each subrecipient (at any tier), if applicable) to ensure that the provisions of this condition are included in any subaward (at any tier) under this award.

The recipient has the responsibility to obtain from subrecipients, contractors, and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed subrecipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the OJP program manager for the award and not proceed with the agreement in question without further authorization from the OJP program office.

36. Confidentiality of data

The recipient (and any subrecipient at any tier) must comply with all confidentiality requirements of 34 U.S.C. 10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient further agrees, as a condition of award approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23.

37. The award recipient agrees to participate in a data collection process measuring program outputs and outcomes. The data elements for this process will be outlined by the Office of Justice Programs.



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*SPECIAL CONDITIONS*

38. Protection of human research subjects

The recipient (and any subrecipient at any tier) must comply with the requirements of 28 C.F.R. Part 46 and all OJP policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

39. Applicants must certify that Limited English Proficiency persons have meaningful access to the services under this program(s). National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The U.S. Department of Justice has issued guidance for grantees to help them comply with Title VI requirements. The guidance document can be accessed on the Internet at [www.lep.gov](http://www.lep.gov).

40. FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

41. Within 120 days of the award date, the recipient shall submit to the Office of Justice Programs a finalized Memorandum of Understanding (MOU) that reflects the goals and objectives of the project and lists the identities, roles, and contributions of the participating agencies. The MOU must be signed by the Chief Executive Officer of each collaborating agency. The grantee also agrees to notify the Bureau of Justice Assistance of any change in the status or duties of the collaborating agency partners or individuals.

42. Cooperating with OJP Monitoring

The recipient agrees to cooperate with OJP monitoring of this award pursuant to OJP's guidelines, protocols, and procedures, and to cooperate with OJP (including the grant manager for this award and the Office of Chief Financial Officer (OCFO)) requests related to such monitoring, including requests related to desk reviews and/or site visits. The recipient agrees to provide to OJP all documentation necessary for OJP to complete its monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by OJP for providing the requested documents. Failure to cooperate with OJP's monitoring activities may result in actions that affect the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to award funds; referral to the DOJ OIG for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).



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*SPECIAL CONDITIONS*

43. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

44. Verification and updating of recipient contact information

The recipient must verify its Point of Contact (POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.

45. Prior to the expenditure of confidential funds, the recipient and any subrecipients agree to sign a certification that the recipient (or the subrecipient, as applicable) has read, understands, and agrees to abide by all of the conditions pertaining to confidential fund expenditures set forth in the DOJ Grants Financial Guide.
46. The recipient may not obligate, expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.
47. Recipient may not obligate, expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has received and approved the required application attachment(s) and has issued a Grant Adjustment Notice (GAN) releasing this special condition.



**U.S. Department of Justice**  
Office of Justice Programs  
*Bureau of Justice Assistance*

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Washington, D.C. 20531

**Memorandum To:** Official Grant File  
**From:** Orbin Terry, NEPA Coordinator  
**Subject:** Categorical Exclusion for City of Los Angeles

NEPA Type: Categorical Exclusion – The Intellectual Property Enforcement Program is designed to provide national support and improve the capacity of state, local, and tribal criminal justice systems to address intellectual property criminal enforcement, including prosecution, prevention, training, and technical assistance. None of the following activities will be conducted whether under the Office of Justice Programs Federal action or a related third party action:

- (1) New construction.
- (2) Renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain.
- (3) A renovation which will change the basic prior use of a facility or significantly change its size.
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment.
- (5) Implementation of a program involving the use of chemicals.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of the Code of Federal Regulations. Additionally, the proposed action is neither a phase nor a segment of a project which when reviewed in its entirety would not meet the criteria for a categorical exclusion.



U.S. Department of Justice  
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**GRANT MANAGER'S MEMORANDUM, PT. I:  
PROJECT SUMMARY**

**Grant**

PROJECT NUMBER

2019-IP-BX-0004

PAGE 1 OF 1

This project is supported under FY19(BJA - IP Enforcement) Pub. L. No. 116-6, 133 Stat 13, 113

**1. STAFF CONTACT (Name & telephone number)**

Tahitia Barringer  
(202) 616-3294

**2. PROJECT DIRECTOR (Name, address & telephone number)**

Barbra Ann B. Montesquieu  
Sr. Management Analyst I  
100 West First Street  
Los Angeles, CA 90012  
(213) 486-0379

**3a. TITLE OF THE PROGRAM**

BJA FY 19 The Intellectual Property Enforcement Program: Protecting Public Health, Safety, and the Economy from Counterfeit Goods and Product Piracy

**3b. POMS CODE (SEE INSTRUCTIONS ON REVERSE)**

**4. TITLE OF PROJECT**

FY 19 Intellectual Property Program

**5. NAME & ADDRESS OF GRANTEE**

City of Los Angeles  
200 N. Spring Street SW Mezzanine, Rm. M175  
Los Angeles, CA 90012

**6. NAME & ADDRESS OF SUBGRANTEE**

**7. PROGRAM PERIOD**

FROM: 10/01/2019 TO: 09/30/2021

**8. BUDGET PERIOD**

FROM: 10/01/2019 TO: 09/30/2021

**9. AMOUNT OF AWARD**

\$ 352,000

**10. DATE OF AWARD**

09/26/2019

**11. SECOND YEAR'S BUDGET**

**12. SECOND YEAR'S BUDGET AMOUNT**

**13. THIRD YEAR'S BUDGET PERIOD**

**14. THIRD YEAR'S BUDGET AMOUNT**

**15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)**

The Intellectual Property Enforcement Program (IPEP) is designed to improve the capacity of state, local, tribal, and territorial criminal justice systems to address intellectual property (IP) enforcement, including prosecution, prevention, training, and technical assistance. Awards will be made to support law enforcement agencies that have an IP enforcement task force or plan to create one. These task forces will collaborate with the relevant state, local, territorial, tribal, campus, and federal agencies, including the local U.S. Attorney's Office (USAO).

CA/NCF

Los Angeles Police Department  
2019 Intellectual Property Enforcement Program:  
Protecting Public Health, Safety, and the Economy from Counterfeit Goods and Product Piracy

**NARRATIVE**

**The LA Public Health & Safety IP Crime Enforcement and Prevention Program**

The Los Angeles Police Department (LAPD) Anti-Piracy Unit (APU) will be partnering with the Los Angeles County Sheriff's Department's Counterfeit and Piracy Enforcement Team (CAPE) and the Los Angeles City Attorney (LACA), labeled collectively as the Team, to implement the *2019-2021 LA Public Health & Safety Intellectual Property (IP) Crime Enforcement and Prevention Program*. This proposal aims to implement strategies to reduce and prevent the spread of counterfeit/illicit pharmaceutical drugs and electronics/ automobile parts throughout the Los Angeles (LA) region and to seek restrictive injunctions and significant financial penalties to abate counterfeit goods that threaten public health and safety.

**I. STATEMENT OF THE PROBLEM**

The LAPD is the third largest police agency in the nation and provides police services to approximately four million residents, covering 468 square miles, including two major ports. Downtown LA is widely acknowledged as one of the epicenters of counterfeit activity in the nation, with estimated annual fiscal impact of \$17 million in lost state income taxes and sales taxes.<sup>i</sup> LA's flourishing black market diverts an estimated \$2 billion from the County's retail sector, costing 106,000 jobs and \$5 billion in wages.<sup>ii</sup>

**Proliferation of Counterfeit Goods.** There is current concern that the increase in opioid prescription drug use in LA is linked to a corresponding increase in sales of counterfeit prescription drugs, including opioids. In 2015, the APU worked on Operation MERCK, a multi-agency task force investigation involving the sales of counterfeit /illicit pharmaceutical drugs throughout LA and Orange Counties, where 25 search warrants were served and 28 arrests were

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made. Approximately 70 percent of the target locations were in LA. Several thousand counterfeit/illicit pharmaceutical drugs, including from Bayer, Pfizer, Merck, estimated to value over \$1M, were recovered. Drugs were also found with past expiration dates and kept in unsanitary conditions. In 2019, the APU conducted undercover buy/bust operations of counterfeit Xanax being sold on the Dark Web, public classified websites, and social media, where some were laced with Fentanyl/opioids causing serious injuries, overdose and death.

Similarly, recalls on automobile safety products has been tied to a corresponding increase in counterfeit automobile parts and accessories, creating a public safety hazard. From 2009-2011, Toyota and the U.S. National Highway Traffic Safety Administration recalled floor mats because of accidents and 21 deaths due to unintended acceleration. Two years later, the APU worked with the Federal Bureau of Investigation (FBI) and removed several thousands of substandard counterfeit floor mats bearing various auto manufacturers' logos that were being sold on auction website, including eBay. Those lacked the original manufacturers' security hook holes to secure the floor mats in place, causing pedal entrapment by cover either the accelerator and the brake pedals. In 2018, the APU investigated a suspect selling counterfeit automobile airbags on eBay bearing various manufacturers' logos that were shoddily assembled. The LAPD Bomb Squad was called and deemed them unsafe to transport because of the danger of explosion.

**Demand for Counterfeit Goods.** Increased community educational outreach is needed to make residential and business buyers aware that the purchase of counterfeit/illicit pharmaceutical drugs and electronics/automobile parts are extremely dangerous and pose grave public safety hazards. Moreover, the crime networks associated with these specific counterfeit goods have been directly linked to international organized crime and terrorism.

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The Team will expand its efforts to coordinate, monitor and assist major enforcement operations aimed at addressing the following issues:

**'Go to Spots'- Chronic Counterfeit/Illicit Pharmaceutical Drug Distribution Locations:** The allure of easy money from selling counterfeit/illicit pharmaceutical drugs continues to draw primary offenders back to LA. Detectives are finding that former IP criminals move up the supply chain and morph from small-scale vendors into highly organized networks. To illustrate, a small tobacco shop owner who was arrested in 2012 for selling counterfeit cigarettes from a car trunk, has become a regional distributor for counterfeit/non-taxed cigarettes and pharmaceutical drugs, profiting over \$600,000 a month and sending money transfers to the Middle East by 2015.

**Evolving Trends in IP Crime:** The APU has recently noted how convicted offenders quickly develop highly sophisticated, connected and unconventional networks. Detectives have seen gang members who have moved from dealing drugs to committing IP crimes. Interviews with documented gang members arrested for IP crimes confirm that selling counterfeit goods does not attract law enforcement and brings more money than dealing drugs or committing other crimes.

**Expanded LA Marketplace for Counterfeit Goods:** The APU recently discovered that IP criminals are transitioning from using the ports to the airports in shipping counterfeit goods.

These shipments will eventually be made available in the different internet sites.

Electronics/automobile parts are now starting to come through the LA International Airport. This gap is a local IP problem that has national and international implications since counterfeit goods sales have been linked to terrorist funding, leading to a larger homeland security issue.

**Increased Demand for Counterfeit Goods:** With the increasing popularity of internet shopping and consumers looking for deals, the Team needs to better influence public opinion - especially budget-minded consumers and business owners - to prevent, deter and identify criminal violators

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of IP laws. The community is uninformed about the personal and economic dangers of purchasing counterfeit goods. Counterfeit antibiotics have not been inspected nor tested for safety and can cause severe side effects, even death. Counterfeit pharmaceutical drugs can pose significant health dangers especially with the recent rise in prescription opioid addiction.

***Filing IP Cases in Court:*** Although the Team pushes for tougher sentences, LA area courts often dismiss IP cases “in furtherance of justice,” closing out cases in the interest of time as IP cases are complex and require lengthy trials. If convicted, felony IP offenders, regardless of the amount of property recovered, typically receive no prison time; only community service, active probation, or restitution/fines. Those imprisoned are released early due to jail or prison capacity. When convicted IP criminals re-enter the community, many will continue to sell and distribute counterfeit goods. It is estimated the income for counterfeit distributors is \$60,000-\$150,000/mo. Due to the financial incentives and lax penalties, IP crimes continue to flourish.

## **II. PROJECT DESIGN AND IMPLEMENTATION**

The Team proposes a multi-faceted approach to reduce and prevent IP crime in LA. The overarching goal of this program is to ensure the safety of the LA community by reducing the supply of and demand for counterfeit goods in the LA region and file civil enforcement actions against chronic IP offenders and the places they use to manufacture, store and sell their goods. The program is a strong message to both sellers and buyers that all IP crimes will be aggressively enforced and prosecuted in LA. The APU and its partners in the Southern California IP Enforcement Task Force continue to move in this direction under the proposed grant.

**Objective 1: Reduce the Supply Side of IP Crime:** The APU/CAPE will work with Homeland Security Investigations/US Customs to monitor shipments inbound through LA ports and airports for counterfeit/illicit pharmaceutical drugs and electronics/automobile parts. Shipment containers

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with counterfeit goods will no longer be seized and returned to their origin but will be thoroughly be investigated until the shipment's destination. The APU/CAPE will establish direct contact with all major pharmaceutical corporations for any reports of counterfeit drugs being sold. They will also create a partnership with the task force's Auto Theft Specialists and conduct field inspections on automotive part distribution sites for any sales of counterfeit parts.

The APU/CAPE will work with the LA County Probation Department to conduct spontaneous probation checks on prior IP offenders. They will enhance information sharing with investigative and enforcement efforts through the Regional Information Sharing Systems, which allows law enforcement officers to share information on locations, suspects, current trends and gangs. The APU/CAPE will continue its ride-along training program and will establish a cross-training program with other IP units/law enforcement agencies to discuss and exchange innovative techniques and current trends in enforcing IP crimes. The APU/CAPE will partner with Investigative Consultants, a private investigative company, to conduct IP trainings.

*Performance Measures:* # shipments intercepted; # of IP crime offenders and number of repeat offenders; # of cases prosecuted at local, state and federal level; value of assets seized.

**Objective 2: Develop and Evaluate Additional Strategies to Address the Changing Trends and Kinds of IP Crime and to Prevent Linkages to Other National/International Crimes:**

To confront the growing linkage of IP crime and terrorism, the APU/CAPE will continue to work with partners in opening state and federal investigations. The APU investigators are crossed-deputized by FBI as federal U.S. Marshals, allowing them to vertically handle both State and Federal IP-related investigations.

The APU/CAPE will also implement a working group with private industry and federal law enforcement to discuss trends and ongoing counterfeit pharmaceutical drug and

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electronic/automobile part investigations. Working group include: The FBI will investigate and assist the APU with IP crimes; The Homeland Security Investigations Trade-Fraud will assist in the investigation of shipping containers via the sea and highway; The State of California Board of Equalization will enforce tax laws violated by individuals arrested for IP crimes; The Labor Standards and Enforcement and Employment Development Departments will enforce labor law violations; The Homeland Security Investigations – Airport will coordinate intelligence and enforcement of counterfeit goods entering the west coast via air through various carriers; The New York Police Department, Trademark Unit will share intelligence on shipments to or from the East Coast; The Department of Alcoholic Beverage Control will coordinate on counterfeit goods sold in any ABC establishment; The Assistant US Attorney will prosecute Federal cases; and The California Department of Justice Deputy Attorney General will prosecute State cases.

The IP Task Force members plan to continue achieving higher conviction rates and chipped away at the networks of counterfeit suppliers through the imposition of fines, penalties, and/or arrest of the IP criminals, building owners, store operators, merchandise suppliers, and support personnel. Specifically, the APU/CAPE will continue working with a wide variety of public and private industry partners on IP crime which may include but will not be limited to: International Anti-Counterfeiting Association; Underwriters Laboratories; the International Trademark Association; and various electronic, pharmaceutical and apparel manufacturers.

Partners will vary depending on the investigation and the type of counterfeit goods investigated.

Performance Measures: # of new members and agencies/organizations on the Task Force; # of new private partners working with the Task Force and enforcement agencies; track and categorize types of IP crimes and document changes/reduction; # of tips shared with other agencies; # of prosecutions.

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**Objective 3: Reduce the Demand for IP Crime by Educating the Public about the Health, Economic, and Personal Dangers of IP crime:** The Team will work on influencing public opinion through educating budget-minded consumers and business owners. The goal is to alter consumers' buying habits and to prevent, deter and identify criminal violators of IP laws. If the public is aware of the dangers that counterfeit products pose, they will be more inclined to report IP crimes and cooperate with law enforcement, thus reducing the demand for counterfeit products. The Team will develop and implement an educational campaign to raise awareness on the risks and consequences of participating in this counterfeit marketplace. This educational outreach program will convey the truths of IP crime, including the nexus to gangs, organized crime, and terrorist groups. During the 2019-21 school years, the Team plans to conduct six presentations at local high schools, six presentations at local colleges and 24 in-service trainings to LAPD officers, including at the LAPD Cadet Police Academy, and to other enforcement agencies.

*Performance Measures:* # of educational outreach activities, # of groups/participants targeted/reached; collect and analyze training evaluation; # of reports on social media.

**Objective 4: Prevent IP Crime Displacement by Sharing Best Practices:** The APU/CAPE will work together to develop a final report at the end of the grant period detailing their strategies and outcomes, including concrete recommendations on how to train and replicate successful aspects of the LAPD/CAPE model in other jurisdictions.

*Performance Measures:* # of jurisdictions receiving final report via website or mail; # of articles in national policing and prosecution publications; # of presentation requests

**Objective 5: File Civil Enforcement Actions Against Chronic IP Offenders:** The LACA will target IP offenders by filing civil enforcement actions against chronic IP offenders and the places

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they use to manufacture, store and sell their goods. Civil enforcement actions will allow the ability to hold offenders accountable based on the lower preponderance standard of evidence, the ability to collect significant fines, and the ability to conduct discovery on defendants and their businesses which are not easily done in criminal cases.

Performance Measures: # of civil cases filed against chronic offenders

### **III. CAPABILITIES/COMPETENCIES:**

**LAPD.** The APU has been involved in more than 2,000 IP, some leading to the arrest and conviction of known terrorist groups for manufacturing and selling counterfeit products. The unit has received over 700 hours of training from brand owners, including Underwriters Laboratories Inc., Merck and Proctor & Gamble on various methods of identifying counterfeit goods. The APU has successfully investigated complex IP cases that resulted in the removal of \$182,590,340 worth of counterfeit products from LA, representing 1,118,312 pieces of products including pharmaceutical drugs, and auto parts. The APU was featured on ABC 20/20, Good Morning America, syndicated Crime Watch Daily and in several local news stories in 2018, where they discussed the severity and dangers of the lucrative IP crimes. The shows featured the APU during the service of search warrant operations targeting major distributors of counterfeit products in the LA area.

The APU's expertise has been sought by national and international communities, such as: training government and private organizations in Seoul on anti-piracy tactics; training Brazilian law enforcement on anti-piracy strategies in preparation for the 2014 World Cup and 2016 Summer Olympics in Rio De Janeiro; and providing innovative techniques to enforce IP crimes to the Dubai Police Department. Detective Rick Ishitani of APU was invited to speak at the 2015 NIJ IP Forum and actively participated in various conferences throughout the U.S.

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hosted by the National White-Collar Crime Center. APU also presented at the London City Police law enforcement IP conference and at the Intellectual Property Rights Center regarding counterfeit health & safety products being sold in Los Angeles.

**LACA.** The LACA is the only known local prosecution office in the United States that has two full time prosecutors dedicated to IP enforcement. One prosecutor handles civil enforcement actions, and the other vertically prosecutes misdemeanor IP crimes. The use of civil enforcement actions targeting the places where counterfeit goods are manufactured, sold and stored was pioneered by the LACA in 2010. No other local prosecution agency in the United States has the experience level that the LACA has in pursuing IP offenders. In addition to the civil enforcement work, the LACA prosecutor assigned to criminal enforcement has reviewed and/or filed at least 195 IP cases in the past four years.

**LASD.** The primary goal of CAPE is to address intellectual property crimes. The team focuses on enforcing laws and ordinances related to crimes which substantially interfere with the quality of life, community peace, lawful commerce, property values, and the health and safety of residents. The CAPE provides a coordinated effort to reduce IP crimes by gathering intelligence and leads through the community, conducting investigations, and coordinating outreach and education efforts to local businesses and the community. The CAPE has developed partnerships with private investigative firms, brand owners, and State and Federal law enforcement agencies.

**IV. IMPACT/OUTCOMES, EVALUATION AND PLAN FOR COLLECTING DATA FOR PERFORMANCE MEASURES**

The APU will be the repository for all performance data. The LACA will track IP case referrals, cases that result in civil enforcement, including injunctions and civil penalties and also property owner case conferences and/or referrals for misdemeanor criminal prosecution. APU

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and CAPE will collect and track all other data. Information will be shared at monthly health and safety task force meetings and distributed quarterly to stakeholders and federal partners in a newsletter. Progress reports will be submitted to BJA on a quarterly basis. Program effectiveness will be measured by showing an increase in arrests made, search warrants served, and counterfeit/illicit items recovered.

Details of all arrestees will be collected on the Vice Information Card (I-Card) including a recent photograph, personal and employment information, criminal history, known associates/hangouts, and contacts with law enforcement. I-Cards help investigators keep track of potential criminal activities, behaviors, and networks after arrestees have been convicted. The APU updates records by cross-referencing databases such as the Consolidated Criminal History Reporting System and information collected by LAPD Vice Unit.

## V. SUSTAINMENT

The City of LA will continue to fund personnel assigned to APU. LAPD will seek additional funding from the City's general fund to support APU activities. The LA Police Foundation will assist in seeking private funding support organizations and foundations that are directly impacted by the proliferation of IP crime, including from the healthcare, auto insurance and automobile industries. The LAPF will find support airing PSAs and work to acquire additional in-kind media donations for IP crime reduction and prevention efforts.

<sup>i</sup> The Negative Consequences of International Intellectual Property Theft: Economic Harm, Threats to the Public Health and Safety, and Links to Organized Crime and Terrorist Organizations, International Anti-Counterfeiting Coalition, Inc. (2005).

<sup>ii</sup> A False Bargain: The Los Angeles County Economic Consequences of Counterfeit Products, Los Angeles Economic Development Corporation (2007).

## 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 &amp; 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
TBD/Various	Lieutenant	\$107.00	hourly	80	100%	\$8,560		\$8,560
TBD/Various	Police Officer	\$83.00	hourly	507	100%	\$42,081		\$42,081
TBD	Deputy City Attorney	\$115,100.00	yearly	1	14%	\$16,000		\$16,000
<b>Total(s)</b>						<b>\$66,641</b>	<b>\$0</b>	<b>\$66,641</b>

### Narrative

The Los Angeles Police Department Anti-Piracy Unit (LAPD-APU) will allocate \$50,641 for overtime to investigators to implement the strategies and tactics in fighting IP crimes, specifically counterfeit/illicit pharmaceutical drugs and electronics/automobile parts, as discussed in the Project Narrative. These investigative efforts are unprecedented in Los Angeles and represents a large potential in curbing the rise of counterfeit/illegal pharmaceutical drugs and automobile parts in Southern California. LAPD-APU investigators will continue to enforce intellectual property laws during their regular hours, which includes coordinating with local and federal agencies and monitoring internet crimes. These grant funds will enable the LAPD-APU to augment anti-piracy efforts in a broader and deeper scale by providing overtime. It is anticipated that 4 investigators and 1 lieutenant (supervisor) will work for this grant program. These investigators have developed expertise and experience working on counterfeit and piracy crime investigations. Their primary duties include engaging in surveillance, apprehension and related IP enforcement and prevention activities in Los Angeles, while coordinating with local and federal agencies. Throughout this project, the LAPD-APU will ramp up efforts to organize and participate in training classes and public education campaigns, primarily through producing and distributing public service announcements over television and radio. Sponsorships with private organizations will be sought in order to finance this public education effort. For the first year, each investigator is anticipated to work an average of 21.12 hours per month for 6 months at an average rate of \$83/hour for a total overtime cost of \$42,081. The supervisor is anticipated to work 13.33 hours per month for 6 months at a rate of \$107/hour for overtime cost of \$8,560.

The Los Angeles City Attorney proposes to budget 13.9% FTE for a Deputy City Attorney with an annual salary of \$115,100, for a total of \$16,000, who will be assigned to civil enforcement actions targeting IP offenders. The balance of the salary and benefits would be paid for by the LACA. The total City of LA personnel cost is \$66,641 for year one

Purpose Area #4

<b>B. Fringe Benefits</b>						
<b>Name</b> <i>List each grant-supported position receiving fringe benefits</i>		<b>Computation</b> <i>Show the basis for computation</i>				
		<b>Base</b>	<b>Rate</b>	<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>
				\$0		\$0
<b>Total(s)</b>				<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Narrative</b>						

Purpose Area #4

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

Purpose Area #4

<b>D. Equipment</b>						
<b>Item</b>		<b>Computation</b>				
<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>				
		<b># of Items</b>	<b>Unit Cost</b>	<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>
				\$0		\$0
				\$0		\$0
<b>Total(s)</b>				<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Narrative</b>						

Purpose Area #4

<b>E. Supplies</b>					
<b>Supply Items</b>	<b>Computation</b>				
<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>				
	<b># of Items</b>	<b>Unit Cost</b>	<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>
Wireless microphone and speaker	1	\$500.00	\$500		\$500
Laptop	1	\$2,500.00	\$2,500	\$0	\$2,500
Projector, Pointer, Speaker	1	\$1,000.00	\$1,000	\$0	\$1,000
			<b>Total(s)</b>	<b>\$4,000</b>	<b>\$0</b>
<b>Narrative</b>					
The LACA propose to purchase computer and audio/visual presentation equipment directly related to IP enforcement and community training.					

Purpose Area #4

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

<b>G. Subawards (Subgrants)</b>										
<b>Description</b> <i>Provide a description of the activities to be carried out by subrecipients.</i>		<b>Purpose</b> <i>Describe the purpose of the subaward (subgrant)</i>		<b>Consultant?</b> <i>Is the subaward for a consultant? If yes, use the section below to explain associated travel expenses included in the cost.</i>						
					<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>			
Los Angeles Sheriff's Department - CAPE		Sheriffs to work with LAPD APU to provide enforcement and preventative strategies to combat counterfeit/illlicit pharmaceutical drugs and electronics/automobile parts throughout the LA region		No	\$49,600		\$49,600			
				<b>Total(s)</b>	<b>\$49,600</b>	<b>\$0</b>	<b>\$49,600</b>			
<b>Consultant Travel (if necessary)</b>										
<b>Purpose of Travel</b> <i>Indicate the purpose of each trip or type of trip (training, advisory group meeting)</i>		<b>Location</b> <i>Indicate the travel destination.</i>	<b>Type of Expense</b> <i>Hotel, airfare, per diem</i>		<b>Computation</b> <i>Compute the cost of each type of expense X the number of people traveling.</i>					
					<b>Cost</b>	<b>Duration or Distance</b>	<b># of Staff</b>	<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>
								\$0		\$0
				<b>Total</b>	\$0	\$0	\$0			
<b>Narrative</b>										
<p>The LAPD works in partnership with the Los Angeles County Sheriff's Department (LASD) Counterfeit and Piracy Enforcement Team (CAPE) which consists of five investigators and one supervisor. For year one, LASD-CAPE will be allocated \$49,600 for overtime to implement the strategies and tactics in fighting IP crimes, specifically counterfeit/illegal pharmaceutical drugs and electronic/automobile parts. These investigators have developed expertise and experience working on counterfeit and piracy crime investigations. Their primary duties include engaging in surveillance, apprehension and related IP enforcement and prevention activities in Los Angeles, while coordinating with local and federal agencies. Each investigator is anticipated to work an average of 17.33 hours per month for 6 months at an average rate of \$80/hour for a total overtime cost of \$41,600 for five Investigators. The supervisor is anticipated to work 13.33 hours per month for 6 months at a rate of \$100/hour for overtime cost of \$8,000. The total cost for LASD-CAPE is \$49,600 for year one.</p>										
<b>H. Procurement Contracts</b>										

Purpose Area #4

<b>Description</b>  <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>	<b>Purpose</b>  <i>Describe the purpose of the contract</i>	<b>Consultant?</b>  <i>Is the subaward for a consultant? If yes, use the section below to explain associated travel expenses included in the cost.</i>						
			<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>			
					\$0			
			<b>Total(s)</b>	\$0	\$0	\$0		
<b>Consultant Travel (if necessary)</b>								
<b>Purpose of Travel</b>  <i>Indicate the purpose of each trip or type of trip (training, advisory group meeting)</i>	<b>Location</b>  <i>Indicate the travel destination</i>	<b>Type of Expense</b>  <i>Hotel, airfare, per diem</i>	<b>Computation</b>  <i>Compute the cost of each type of expense X the number of people traveling</i>					
			<b>Cost</b>	<b>Duration or Distance</b>	<b># of Staff</b>	<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>
						\$0		\$0
			<b>Total</b>			\$0	\$0	\$0
<b>Narrative</b>								

<b>I. Other Costs</b>							
<b>Description</b> <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>	<b>Computation</b> <i>Show the basis for computation</i>						
	<b>Quantity</b>	<b>Basis</b>	<b>Cost</b>	<b>Length of Time</b>	<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>
					\$0		\$0
<b>Total(s)</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Narrative</b>							

Purpose Area #4

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



Purpose Area #4

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

Purpose Area #4

<b>I. Other Costs</b>							
<b>Description</b> <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>	<b>Computation</b> <i>Show the basis for computation</i>						
	<b>Quantity</b>	<b>Basis</b>	<b>Cost</b>	<b>Length of Time</b>	<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>
					\$0		\$0
<b>Total(s)</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Narrative</b>							

Purpose Area #4

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

## Budget Detail - Year 2

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 &amp; 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
0.65	Lieutenant	\$107.00	hourly	160	100%	\$17,120		\$17,120
TBD/Various	Police Officer	\$83.00	hourly	1,005	100%	\$83,439		\$83,439
TBD	Deputy City Attorney	\$115,100.00	yearly	1	28%	\$32,000		\$32,000
<b>Total(s)</b>						<b>\$132,559</b>	<b>\$0</b>	<b>\$132,559</b>

**Narrative**

The Los Angeles Police Department Anti-Piracy Unit (LAPD-APU) will allocate \$104359 for overtime to investigators to implement the strategies and tactics in fighting IP crimes, specifically counterfeit/illicit pharmaceutical drugs and electronics/automobile parts, as discussed in the Project Narrative. These investigative efforts are unprecedented in Los Angeles and represents a large potential in curbing the rise of counterfeit/illegal pharmaceutical drugs and automobile parts in Southern California. LAPD-APU investigators will continue to enforce intellectual property laws during their regular hours, which includes coordinating with local and federal agencies and monitoring internet crimes. These grant funds will enable the LAPD-APU to augment anti-piracy efforts in a broader and deeper scale by providing overtime. It is anticipated that 4 investigators and 1 lieutenant (supervisor) will work for this grant program. These investigators have developed expertise and experience working on counterfeit and piracy crime investigations. Their primary duties include engaging in surveillance, apprehension and related IP enforcement and prevention activities in Los Angeles, while coordinating with local and federal agencies. Throughout this project, the LAPD-APU will ramp up efforts to organize and participate in training classes and public education campaigns, primarily through producing and distributing public service announcements over television and radio. Sponsorships with private organizations will be sought in order to finance this public education effort. For the second year, each investigator is anticipated to work an average of 20.94 hours per month for 12 months at an average rate of \$83/hour for a total overtime cost of \$83,439. The supervisor is anticipated to work 13.33 hours per month for 12 months at a rate of \$107/hour for overtime cost of \$17,120.

The Los Angeles City Attorney proposes to budget 27.8% FTE for a Deputy City Attorney with an annual salary of \$115,100, for a total of \$32,000, who will be assigned to civil enforcement actions targeting IP offenders. The balance of the salary and benefits would be paid for by the LACA. The total City of LA personnel cost is \$132,559 for year two.

Purpose Area #4

<b>B. Fringe Benefits</b>						
<b>Name</b> <i>List each grant-supported position receiving fringe benefits</i>		<b>Computation</b> <i>Show the basis for computation.</i>				
		<b>Base</b>	<b>Rate</b>	<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>
				\$0		\$0
<b>Total(s)</b>				<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Narrative</b>						

Purpose Area #4

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

Purpose Area #4

<b>D. Equipment</b>					
<b>Item</b> <i>List and describe each item of equipment that will be purchased</i>	<b>Computation</b> <i>Compute the cost (e.g., the number of each item to be purchased X the cost per item)</i>				
	<b># of Items</b>	<b>Unit Cost</b>	<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>
			\$0		\$0
<b>Total(s)</b>			<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Narrative**

Purpose Area #4

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

Purpose Area #4

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

Purpose Area #4

<b>G. Subawards (Subgrants)</b>					
<b>Description</b> <i>Provide a description of the activities to be carried out by subrecipients.</i>		<b>Purpose</b> <i>Describe the purpose of the subaward (subgrant)</i>		<b>Consultant?</b> <i>Is the subaward for a consultant? If yes, use the section below to explain associated travel expenses included in the cost.</i>	
				<b>Total Cost</b>	
				<b>Non-Federal Contribution</b>	
				<b>Federal Request</b>	
Los Angeles Sheriff's Department - CAPE		Sheriffs to work with LAPD APU to provide enforcement and preventative strategies to combat counterfeit/illegal pharmaceutical drugs and electronics/automobile parts throughout the LA region		No	
				<b>Total(s)</b>	
				<b>\$99,200</b>	
				<b>\$0</b>	
				<b>\$99,200</b>	
<b>Consultant Travel (If necessary)</b>					
<b>Purpose of Travel</b> <i>Indicate the purpose of each trip or type of trip (training, advisory group meeting)</i>		<b>Location</b> <i>Indicate the travel destination.</i>	<b>Type of Expense</b> <i>Hotel, airfare, per diem</i>	<b>Computation</b> <i>Compute the cost of each type of expense X the number of people traveling.</i>	
				<b>Cost</b>	
				<b>Duration or Distance</b>	
				<b># of Staff</b>	
				<b>Total Cost</b>	
				<b>Non-Federal Contribution</b>	
				<b>Federal Request</b>	
				<b>\$0</b>	
				<b>\$0</b>	
				<b>\$0</b>	
				<b>Total</b>	
				<b>\$0</b>	
				<b>\$0</b>	
				<b>\$0</b>	
<b>Narrative</b>					
<p>The LAPD works in partnership with the Los Angeles County Sheriff's Department (LASD) Counterfeit and Piracy Enforcement Team (CAPE) which consists of five investigators and one supervisor. For year two, LASD-CAPE will be allocated \$99,200 for overtime to implement the strategies and tactics in fighting IP crimes, specifically counterfeit/illegal pharmaceutical drugs and electronic/automobile parts. These investigators have developed expertise and experience working on counterfeit and piracy crime investigations. Their primary duties include engaging in surveillance, apprehension and related IP enforcement and prevention activities in Los Angeles, while coordinating with local and federal agencies. Each investigator is anticipated to work an average of 17.33 hours per month for 12 months at an average rate of \$80/hour for a total overtime cost of \$83,200. The supervisor is anticipated to work 13.33 hours per month for 12 months at a rate of \$100/hour for overtime cost of \$16,000. The total cost for LASD-CAPE is \$49,600 for year two.</p>					
<b>H. Procurement Contracts</b>					

Purpose Area #4

<b>Description</b>  <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>	<b>Purpose</b>  <i>Describe the purpose of the contract</i>	<b>Consultant?</b>  <i>Is the subaward for a consultant? If yes, use the section below to explain associated travel expenses included in the cost.</i>						
			<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>			
						\$0		
			<b>Total(s)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		
<b>Consultant Travel (if necessary)</b>								
<b>Purpose of Travel</b>  <i>Indicate the purpose of each trip or type of trip (training, advisory group meeting)</i>	<b>Location</b>  <i>Indicate the travel destination.</i>	<b>Type of Expense</b>  <i>Hotel, airfare, per diem</i>	<b>Computation</b>  <i>Compute the cost of each type of expense X the number of people traveling.</i>					
			<b>Cost</b>	<b>Duration or Distance</b>	<b># of Staff</b>	<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>
						\$0		\$0
			<b>Total</b>			<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Narrative</b>								

Purpose Area #4

<b>I. Other Costs</b>							
<b>Description</b> <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>	<b>Computation</b> <i>Show the basis for computation</i>						
	<b>Quantity</b>	<b>Basis</b>	<b>Cost</b>	<b>Length of Time</b>	<b>Total Cost</b>	<b>Non-Federal Contribution</b>	<b>Federal Request</b>
					\$0		\$0
<b>Total(s)</b>					<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Narrative</b>							

Purpose Area #4

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

Budget Summary

**Budget Summary**

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

Budget Category	Year 1		Year 2 (if needed)		Year 3 (if needed)		Year 4 (if needed)		Year 5 (if needed)		Total(\$)
	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	
A. Personnel	\$66,641	\$0	\$132,559	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$199,200
B. Fringe Benefits	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
C. Travel	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
D. Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
E. Supplies	\$4,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$4,000
F. Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
G. Subawards (Subgrants)	\$49,600	\$0	\$99,200	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$148,800
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
<b>Total Direct Costs</b>	<b>\$120,241</b>	<b>\$0</b>	<b>\$231,759</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$352,000</b>
J. Indirect Costs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Project Costs</b>	<b>\$120,241</b>	<b>\$0</b>	<b>\$231,759</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$352,000</b>
Does this budget contain conference costs which is defined broadly to include meetings, retreats, seminars, symposia, and training activities? - Y/N											No

