

REPORT FROM

## OFFICE OF THE CITY ADMINISTRATIVE OFFICER

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Date: May 5, 2020

CAO File No. 0120-17302-0770

Council File No. 20-0302

Council District: --

To: The Mayor and Council

From: Richard H. Llewellyn, Jr., City Administrative Officer 

Reference: Board of Police Commissioners Transmittal dated February 6, 2020; supplemental information received April 15, 2020

Subject: **2019-21 INTELLECTUAL PROPERTY ENFORCEMENT GRANT PROGRAM**

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### RECOMMENDATIONS

That the Council, subject to the approval of the Mayor:

1. Authorize the Chief of Police, or his designee, to:
  - a. Retroactively apply for and accept the grant award for the Fiscal Year 2019-21 Intellectual Property Enforcement Program (IPEP) grant in the amount of \$352,000 for the period of October 1, 2019 through September 30, 2021, from the United States Department of Justice, Bureau of Justice Administration;
  - b. Negotiate and execute the Cooperative Agreement, subject to the review and approval of the City Attorney as to form;
  - c. Negotiate and execute a Memorandum of Agreement with the Los Angeles County Sheriff's Department (LASD) for a term of two years and not to exceed \$148,800 within the grant performance period for the LASD's investigative role in the LASD Counterfeit and Piracy Enforcement Team, subject to the review and approval of the City Attorney as to form;
2. 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 the grant receipts in the Police Department Grants Fund No. 339, Department No. 70;
  - c. Prepare Controller instructions for any technical adjustments as necessary to implement Mayor and Council intentions, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions;

3. 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, Department No. 70, for the receipt and disbursement of the 2019-21 IPEP grant funds;
- b. Increase appropriations for the 2019-21 IPEP grant as needed from appropriation account number to be determined in Fund No. 339, Department No. 70 to Fund No. 100, Department No. 70, account number and amount as follows:

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

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

4. Instruct the City Clerk to:

- a. Place the following actions relative to the 2019-21 IPEP grant on the City Council agenda on July 1, 2020 or the first meeting day thereafter:

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

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

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

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

- b. Place the following actions relative to the 2019-21 IPEP grant on the City Council agenda on July 1, 2021 or the first meeting day thereafter:

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

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

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

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

## **SUMMARY**

The Los Angeles Police Department (LAPD) is seeking approval to retroactively apply for and accept an award of \$352,000 for the Fiscal Year (FY) 2019-21 Intellectual Property Enforcement Program (IPEP) grant from the United States Department of Justice, Bureau of Justice Administration for the grant term of October 1, 2019 through September 30, 2021. No matching funds are required.

The LAPD has been an annual recipient of the IPEP grant since FY 2009 with the exception of FY 2012 and 2015 when the LAPD did not apply for the grant. Through this grant funding, the LAPD has been able to strengthen its efforts in combating the proliferation of counterfeit goods; enforcing copyright, trademark, and patent laws; and, deterring organized counterfeit manufacturing and distribution rings.

Acceptance of this grant will allow the LAPD to create a working group with the Los Angeles County Sheriff's Department (LASD) Counterfeit and Piracy Enforcement (CAPE) team and the City Attorney's Office to implement the 2019-21 Los Angeles (LA) Public Health and Safety Intellectual Property Crime Enforcement and Prevention Program. The intent of the program is to implement strategies and seek restrictions and financial penalties to reduce and prevent the spread of counterfeit goods that threaten public health and safety. This includes counterfeit and illicit pharmaceutical drugs, electronics, and automobile parts.

The LASD CAPE team's primary goal is to address Intellectual Property crimes by enforcing laws and ordinances related to crimes that substantially interfere with the quality of life, community peace, lawful commerce, property values, and the health and safety of residents. The team gathers intelligence and leads provided through the community; conducts investigations; and, coordinates outreach to and educational efforts for local businesses and communities in efforts to reduce Intellectual Property crimes.

The LAPD will allocate \$151,200 for LAPD sworn overtime and \$148,800 for LASD sworn overtime to implement the aforementioned 2019-21 LA Public Health and Safety Intellectual Property Crime Enforcement and Prevention Program. The grant award also provides \$4,000 for the purchase of equipment for community training and allocates \$48,000 to the City Attorney's Office to partially fund a Deputy City Attorney II position. The Deputy City Attorney II will dedicate a portion of their time to prosecute Intellectual Property crimes. The Deputy City Attorney II position assigned to the Intellectual Property program is an unfunded resolution authority that is included in the City Attorney's Personnel Authority Resolution (PAR). Although no matching funds are required for this grant, the City must cover the remaining salary costs. The City Attorney Consumer Protection Fund will provide the balance of the position costs. These costs are already included in the Adopted Budget and do not represent any additional General Fund impact.

## **FISCAL IMPACT STATEMENT**

Approval of the recommendations within this report will allow for the expenditure of the Fiscal Year 2019-21 Intellectual Property Enforcement Program (IPEP) grant award totaling \$352,000. No matching funds are required for this grant. There is no impact to the General Fund as a result of these recommendations.

## **FINANCIAL POLICIES STATEMENT**

The recommendations provided in this report are in compliance with the City's Financial Policies in that one-time grant funding will be utilized for one-time program expenditures.

*RHL:ED:04200137*