



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Sheriff  
**Department No.:** 032  
**For Agenda Of:** June 15, 2021  
**Placement:** Administrative  
**Estimated Time:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** 4/5

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**TO:** Board of Supervisors

**FROM:** Department Sheriff – Bill Brown (Ext. 14290)  
Director(s)  
Contact Info: Lieutenant Steven Johnson (Ext. 25752)

**SUBJECT:** 2017 Edward Byrne Justice Assistance Grant (JAG) Funds, \$95,820

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: Risk Management

As to form: No

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Approve and authorize the Sheriff to sign an agreement with the Department of Justice (DOJ), Office of Justice Programs (OJP), 2017 Edward Byrne Justice Assistance Grant in an amount not to exceed \$95,820.00 for a project period from 7/1/2020 to 9/30/2021;
- b) Recognize that the County of Santa Barbara, City of Santa Barbara, City of Lompoc and City of Santa Maria have agreed to combine designated FY2017 JAG funding for the purposes of maintaining and equipping the Santa Barbara Countywide Bomb Squad;
- c) Allow members of the public an opportunity to provide comments relating to the intended use of Local JAG funding. Local JAG funds will not be released by the Department of Justice until 30 days after the Board of Supervisors reviews the Local JAG funding proposal and the public is given an opportunity to provide comment on the use of Local JAG funding;
- d) Authorize the Sheriff or designee to execute a grant agreement with the United States Department of Justice, upon review and approval of County Counsel and the Auditor-Controller, or their designees, when the anticipated JAG funding is awarded.

- e) Approve BJE #0007424 to increase appropriations of \$46,700 in Sheriff General Fund for services and supplies (\$23,900) and capital assets (\$22,800) by unanticipated revenue from Intergovernmental Revenue – Federal;
- f) Find that the proposed action does not constitute a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378 (b)(4), in that it involves government funding mechanisms and/or fiscal activities.

**Summary Text:** Santa Barbara County will use the \$95,820 in proposed FY2017 Edward Byrne Memorial Justice Assistance Grant (JAG) funds for the purposes of maintaining and equipping the Santa Barbara Countywide Bomb Squad. The JAG funding will be utilized to update and purchase capital assets for the Santa Barbara Countywide Bomb Squad. This JAG project will positively impact our local communities by providing updated equipment for the Santa Barbara Countywide Bomb Squad, which serves the entire County of Santa Barbara.

**Background:**

Santa Barbara County has received Edward Byrne Memorial Justice Assistance Grant (JAG) funds for the past 25 years. The Local JAG program is a formula grant that is awarded to local governments. It is administered by the United States Department of Justice, Office of Justice Programs’ Bureau of Justice Assistance. The JAG grant supports a broad range of activities to prevent and control crime and enhance the justice system. The procedure for allocating JAG funds is based upon a formula that is derived from population and crime statistics. The allocation formula favors high density municipalities, which is corrected by the use of a “disparate funding” provision. Within the proposed FY2017 funding, the City of Santa Maria and Santa Barbara County were identified as a disparate jurisdiction, requiring a joint application between the two entities. The City of Santa Maria has agreed to enter into an MOU with the County and submit a joint “disparate” application. In addition, the City of Lompoc and the City of Santa Barbara have also agreed to pool their allotted JAG funding, and submit a single JAG application for the entirety of Santa Barbara County and to utilize this funding for the purposes of maintaining and equipping the Santa Barbara Countywide Bomb Squad.

The County Law Enforcement Chiefs (CLEC) historically worked together to develop the allocation plan for JAG funds, as well as other grants and asset forfeiture revenue. CLEC member agencies affirmed their commitment to the Santa Barbara Countywide Bomb Squad and agreed to a JAG funding allocation plan that will assist in continuing the operation of Countywide Bomb Squad by purchasing and updating equipment. In essence, the proposed JAG funds will be administered by the Sheriff’s Office, who will utilize the JAG funds for the purposes of maintaining and equipping the Santa Barbara Countywide Bomb Squad. The Sheriff’s Office has agreed to submit the sole JAG application for Santa Barbara County and will be responsible for completing reporting requirements mandated by the grant administrator (Department of Justice – OJP/BJA).

Originally, the 2017 JAG Byrne grant was applied for and accepted by the federal granting authority to be used by SBRCAT (Santa Barbara Regional Crime Abatement Team) to pay for facility lease, operating

costs and overtime costs incurred when staffing the taskforce investigations and operations as in years past. During the application process for the 2017 grant, the federal granting authority enacted specific rules regarding local municipalities cooperating with federal agencies, to include signing a Certificate of Compliance with 8 U.S.C. § 1373. Several states within the United States challenged this specific rule in the form of lawsuits against the federal government. This process delayed the acceptance process with this grant for several months. During this process, the federal government, Office of Justice Programs, BJA Edward Byrne Memorial Justice Assistance Grant Program issued a bulletin in October 2018. The bulletin indicated that due to pending litigation within the State of California, the Department of Justice will not use or enforce those conditions in the FY 2017 JAG awards. This bulletin allowed the Sheriff's Office to proceed with the acceptance package for the 2017 JAG Byrne Grant.

However, during the same time frame as the pending litigation, the SBRCAT taskforce was dissolved by CLEC, and the ability to use the grant for this purpose no longer existed. A recommendation that the 2017 JAG Byrne Grant funds be used by the Santa Barbara Countywide Bomb Squad was recommended. Each of the cooperating agencies were contacted and agreed to the change in project scope of the grant funds. A "GAN" (Grant Adjustment Notice) was requested of the US DOJ to change the project scope from SBRCAT to the Santa Barbara Countywide Bomb Squad. The Sheriff's Office was notified that the change in scope of the 2017 JAG Byrne Grant was approved by the US DOJ on June 2, 2020. In addition, a GAN was requested of the US DOJ to extend the project period for the 2017 JAG Byrne Grant, due to the pending litigation, and this GAN was also approved by the US DOJ on June 2, 2020.

In reviewing the previously submitted 2017 JAG Byrne Grant documents from the previous Grant Award Administrator, the original MOU's had been signed by the cooperating agencies and by the Santa Barbara County Executive Officer. These MOU's had been signed during September 2017. After receiving approval for the change in scope for the 2017 JAG Byrne Grant, the US Department of Justice - Office of Justice Programs Certifications and Assurances letter was signed by the Santa Barbara County Executive Officer on 6-24-20. This letter was then submitted to the US DOJ granting authority.

The Santa Barbara Countywide Bomb Squad is Santa Barbara County's only public safety bomb squad. The Santa Barbara Countywide Bomb Squad was formed in 1971. It was formed by the Santa Barbara County Sheriff's Office in response to domestic bombings that were occurring around the country. The Bomb Squad is responsible for the safe disposal of actual or suspected explosive devices, deteriorated explosives, illegal fireworks, improvised explosive devices (IED's), and military ordnance. The squad also provides assistance to local, state and federal agencies and provides assistance with dignitary protection of persons coming to the area. The FBI certifies each of the bomb technicians and oversees the national program.

The goals of the Santa Barbara Countywide Bomb Squad are:

1. To investigate, render safe and dispose of suspected hazardous devices, explosives, explosive materials (as the Bureau of Alcohol, Tobacco, Firearms and Explosives currently defines) and pyrotechnics ammunition within Santa Barbara County.
2. Coordinates investigations with local, state and federal partners.
3. Performs diagnostics and renders safe procedures in Chemical, Biological, Radiological, Nuclear, and Explosives (CBRNE) events within Santa Barbara County.
4. Conducts bomb crime scene investigations.
5. Collects and preserves evidence.
6. Provides technical support to special operations, dignitary protection and special events.

The Santa Barbara Sheriff's Office will administer the combined JAG funding for the county and all applicable cities within the county, and will serve as the sole point of contact for the DOJ – OJP/BJA grant administrators.

**Fiscal and Facilities Impacts:**

Budgeted: No

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund			
State			
Federal	\$95,820		\$95,820
Fees			
Other:			
Total	\$ 95,820.00	\$ -	\$ 95,820.00

Narrative:

This grant provides \$95,820 which will be used for the purposes of purchasing and updating various pieces of equipment for the Santa Barbara Countywide Bomb Squad.

**Staffing Impacts:**

**Legal Positions:**

**FTEs:**

**Special Instructions:**

Clerk of the Board: Please send a minute order to Hope Vasquez, CFO – Santa Barbara Sheriff's Office and Lieutenant Steven Johnson, Santa Barbara Sheriff's Office.

**Attachments:**

- 1) Attachment A: Budget Revision Request #0007424

**Authored by:**

Steven Johnson, Lieutenant – Santa Barbara County Sheriff's Office

**cc:**