

ADD ON

AGENDA

Section

New Business

Item
No.

VI F 2



AGENDA REPORT

BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date

08/22/2017

SUBJECT:	Permission to Advertise Public Hearing to consider application for the 2017 Edward Byrne Memorial Justice Assistance						
DEPT/OFFICE:	Sheriff's Office						
Requested Action:	It is requested that the Board of County Commissioners grant permission to advertise a Public Hearing to consider the 2017 Edward Byrne Memorial Justice Assistance Grant application.						
Summary Explanation & Background:	<p>The U.S. Department of Justice has notified the Sheriff's Office of the availability of the FY 2017 Edward Byrne Memorial JAG - Local Solicitation. Brevard County is eligible to receive a direct allocation of \$59,000. Units of local government applying for this grant must use the funding for law enforcement purposes.</p> <p>The funding is used to enhance Criminal Investigations by funding a Deputy Agent position that focuses on Fraud and Identity Theft. The Sheriff's Office is proposing to continue using the funding for this position and associated operational expenses. The financial and investigative impact of fraud and identity theft is impacting state and local law enforcement and the reality is that these crimes are rapidly becoming one of the most prevalent crimes in Brevard County. The Agency believes this position and the operational expenses continue to be the best use of the grant funds.</p> <p>This grant provides funding in the amount of \$59,000 and does not require a local match.</p> <p>Therefore, the Sheriff's Office is requesting permission to advertise a Public Hearing for the Board of County Commissioners to consider the 2017 Edward Byrne Memorial Assistance Grant Application.</p> <p>Contact: Greg Pelham Phone/e-mail: (321) 264-5206, gregory.pelham@bcso.us</p>						
Clerk to the Board Instructions:							
Exhibits Attached:							
Contract /Agreement (If attached):	Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager	Assistant County Manager		Department Director / Extension				
Frank Abbate, County Manager	Assistant County Manager		Sheriff Wayne Ivey				



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

August 23, 2017

Honorable Wayne Ivey
Brevard County Sheriff
700 South Park Avenue
Titusville, FL 32780

Attention: Greg Pelham

Dear Sheriff Ivey:

Re: Item VI.F.2., Permission to Advertise Public Hearing for Consideration of Application for the 2017 Edward Byrne Memorial Justice Assistance

The Board of County Commissioners, in regular session on August 22, 2017, granted permission to advertise a public hearing to consider the 2017 Edward Byrne Memorial Justice Assistance Grant Application.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/kp

APPLICATION FOR FEDERAL ASSISTANCE		2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION		3. DATE RECEIVED BY STATE	State Application Identifier
Application Non-Construction		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION			
Legal Name		Organizational Unit	
Brevard County		County	
Address		Name and telephone number of the person to be contacted on matters involving this application	
2725 Judge Fran Jamieson Way Building C Viera, Florida 32940-6605		Pelham, Greg (321) 264-5206	
6. EMPLOYER IDENTIFICATION NUMBER (EIN)		7. TYPE OF APPLICANT	
59-6000528		County	
8. TYPE OF APPLICATION		9. NAME OF FEDERAL AGENCY	
New		Bureau of Justice Assistance	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT	
NUMBER: 16.738 CFDA: Edward Byrne Memorial Justice Assistance Grant TITLE: Program		Investigative Fraud Agent Position	
12. AREAS AFFECTED BY PROJECT			
All incorporated and unincorporated areas of Brevard County			
13. PROPOSED PROJECT		14. CONGRESSIONAL DISTRICTS OF	
Start Date: October 01, 2016 End Date: September 30, 2020		a. Applicant b. Project FL15	
15. ESTIMATED FUNDING		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
Federal	\$59,000	Program is not covered by E.O. 12372	
Applicant	\$0		
State	\$0		
Local	\$0		
Other	\$0		
Program Income	\$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
TOTAL	\$59,000	N	
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.			

Close Window

Abstract

Brevard County

Investigative Fraud Agent

Consumer fraud and identity theft have become one of the most prevalent crimes in Brevard County. During calendar year 2016, the state of Florida was ranked No.1 in these crimes. Residents and visitors of Brevard County are prime targets of identity thieves due to the numerous tourist attractions, military installations and senior population. In addition, contractor fraud has remained prevalent on the Space Coast of Florida, particularly in reference to the many contractors that show up to victimize the citizens of Brevard County following natural disasters. This goes beyond the norm of the fraud perpetrated on the senior citizen community by fraudulent contractors.

Our strategy involves going beyond traditional management approaches by availing all of our resources to our criminal justice partners and the community with the enhancement of our Economic Crimes Task Force, a comprehensive multi-jurisdictional and multi-discipline approach to combating fraud and identity theft. As part of this effort, a dedicated computer forensic examiner will be available to assist in cases where suspects are utilizing technology, opportunity and jurisdictional boundaries to their advantage.

Specifically this position will:

- Provide a coordinated approach that allows for the sharing of resources and communication to effectively identify fraudulent schemes that target multiple victims reaching across many jurisdictional boundaries.
- Enhance the ability to investigate complex cases through the examination of computer and other electronic media by a trained forensic specialist who is able to examine, uncover and extract data that identifies victims and evidence of these intricate schemes.
- Enhance our investigative efforts by improving and enhancing the investigator's technological capability, improved Digital Forensics support with enhanced technology and specialized training of criminal justice staff and partners on the latest trends and techniques associated with the investigation and prosecution of consumer fraud and identity theft.

Program Identifiers

- 1) Crimes Against the Elderly
- 2) Identity Theft
- 3) Internet Crime
- 4) Mortgage Fraud
- 5) Victimization
- 6) Computer Software/Hardware
- 7) Equipment General
- 8) Fraud
- 9) Diagnostic Evaluation
- 10) White Collar Crime

Program Narrative

The Brevard County Sheriff's Office is proposing to continue a position created in 2010 to investigate Fraud and Identity Theft.

The Sheriff's Office will track all grant draw downs and grant expenditures separately from all other funding sources, including Federal, by creating a separate fund for the receipt of the funds and for the personnel costs and expenses. The creation of the separate fund will ensure that the grant funds are not co-mingled with any other funds or expenses received or incurred by the agency.

The financial and investigative impact of fraud and identity theft is being felt by state and local law enforcement. The reality of this concerning issue is that these crimes have become one of the most prevalent crimes in Brevard County. For the past 3 years (2014, 2015 and 2016) the Federal Trade Commission has ranked Florida as one of the top states in the nation in complaints with Identity Theft as well as other fraud.

Residents and visitors of Brevard County are prime targets of identity thieves due to the numerous tourist attractions, military installations and senior population. Today's economic crime suspects are utilizing technology, opportunity and jurisdictional boundaries to their advantage. Criminals have "no Boundaries" and to effectively combat their illegal activities, law enforcement must work from a coordinated and centralized approach that allows for the sharing of resources and communication to effectively identify fraudulent schemes that target multiple victims reaching across many jurisdictional boundaries.

There are two factors in Brevard County that breeds fraudulent activity. The first is the fact that millions of tourists in the State of Florida rely on credit card use to facilitate their visits, activities, and expenditures while patronizing the many attractions that our county offers. This fact alone makes Brevard County a target rich environment for the many aspects of fraud related crimes. The tourist arena makes the instruments needed for credit card and other forms of fraud related crimes easily assessable to the criminal element.

The second perspective that must be considered is that the tourist attractions not only make credit card information assessable to the criminal element, but also draws the criminal element to our county. Tourism also provides a fertile ground to the many types of counterfeiters. The passing and usage of counterfeit instruments such as checks, currency and credit cards has been on the increase both due to the economy and the ease of production with the technological advance in Laser jet printers available to regular consumers. In addition, contractor fraud has remained prevalent on the Space Coast of Florida, particularly in reference to the many contractors that show up to victimize the citizens of Brevard County following natural disasters. This goes beyond the norm of the fraud perpetrated on the senior citizen community by fraudulent contractors.

The investigation of Consumer Fraud and Identity Theft cases in Brevard County include Credit Card Fraud, Forgery and Uttering of Monetary Instruments, Theft of Identity and other schemes to defraud.

In order to track and collect the data to report on the progress of the grant, all consumer fraud and identity theft cases will maintained and tracked independently from all other BCSO investigative casework.

The agent will work closely with local and state law enforcement jurisdictions, the State Attorney's Office and the Office of Statewide Prosecution to present evidence of impact of fraud and identity theft, investigating, assembling, and presenting evidence on consumer fraud, identity theft or credit card skimming styled cases for prosecution. In addition, the agent will work toward building stronger public/private partner relationships and establish a strong multi-jurisdictional partnership to effectively and efficiently address this problem by sharing information, resources and remove jurisdictional boundaries.

BUDGET NARRATIVE

The budget for the project is as follows:

Salaries and Benefits

Deputy Agent			\$ 35,728
Federal Withholding	7.65%	\$ 2,733	
Retirement	23.27%	\$ 8,314	
Workers' Compensation	3.45%	\$ 1,233	
Life Insurance	<u>.50%</u>	<u>\$ 179</u>	
	34.87%		\$ 12,459
Health Insurance			<u>\$ 10,813</u>
Total			\$ 59,000

The total funds for the grant are used for Personnel Costs for a Fraud Agent.

The salary detail is the breakout as to how the grants funds will be allocated.

This Fraud Agent is in a cost center only for the Fraud Grant so expenses can be easily monitored and audited.

NO PENDING APPLICATIONS

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

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

State or Local Government: FY 2017 Certification of Compliance with 8 U.S.C. § 1373

On behalf of the applicant government entity named below, and in support of its application, I certify under penalty of perjury to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

(1) I am the chief legal officer of the State or local government of which the applicant entity named below is a part ("the jurisdiction"), and I have the authority to make this certification on behalf of the jurisdiction and the applicant entity (that is, the entity applying directly to OJP). I understand that OJP will rely upon this certification as a material representation in any decision to make an award to the applicant entity.

(2) I have carefully reviewed 8 U.S.C. § 1373(a) and (b), including the prohibitions on certain actions by State and local government entities, -agencies, and -officials regarding information on citizenship and immigration status. I also have reviewed the provisions set out at (or referenced in) 8 U.S.C. § 1551 note ("Abolition ... and Transfer of Functions"), pursuant to which references to the "Immigration and Naturalization Service" in 8 U.S.C. § 1373 are to be read, as a legal matter, as references to particular components of the U.S. Department of Homeland Security.

(3) I (and also the applicant entity) understand that the U.S. Department of Justice will require States and local governments (and agencies or other entities thereof) to comply with 8 U.S.C. § 1373, with respect to any "program or activity" funded in whole or in part with the federal financial assistance provided through the FY 2017 OJP program under which this certification is being submitted ("the FY 2017 OJP Program" identified below), specifically including any such "program or activity" of a governmental entity or -agency that is a subrecipient (at any tier) of funds under the FY 2017 OJP Program.

(4) I (and also the applicant entity) understand that, for purposes of this certification, "program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. § 2000d-4a), and that terms used in this certification that are defined in 8 U.S.C. § 1101 mean what they mean under that section 1101, except that the term "State" also shall include American Samoa (*cf.* 42 U.S.C. § 901(a)(2)). Also, I understand that, for purposes of this certification, neither a "public" institution of higher education (*i.e.*, one that is owned, controlled, or directly funded by a State or local government) nor an Indian tribe is considered a State or local government entity or -agency.

(5) I have conducted (or caused to be conducted for me) a diligent inquiry and review concerning both—

- (a) the "program or activity" to be funded (in whole or in part) with the federal financial assistance sought by the applicant entity under this FY 2017 OJP Program; and
- (b) any prohibitions or restrictions potentially applicable to the "program or activity" sought to be funded under the FY 2017 OJP Program that deal with sending to, requesting or receiving from, maintaining, or exchanging information of the types described in 8 U.S.C. § 1373(a) or (b), whether imposed by a State or local government entity, -agency, or -official.

(6) As of the date of this certification, neither the jurisdiction nor any entity, agency, or official of the jurisdiction has in effect, purports to have in effect, or is subject to or bound by, any prohibition or any restriction that would apply to the "program or activity" to be funded in whole or in part under the FY 2017 OJP Program (which, for the specific purpose of this paragraph 6, shall not be understood to include any such "program or activity" of any subrecipient at any tier), and that deals with either— (1) a government entity or -official sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. § 1373(a); or (2) a government entity or -agency sending to, requesting or receiving from, maintaining, or exchanging information of the types (and with respect to the entities) described in 8 U.S.C. § 1373(b).

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 42 U.S.C. § 3795a), and also may subject me and the applicant entity to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by USDOJ, including by OJP and by the USDOJ Office of the Inspector General.

Signature of Chief Legal Officer of the Jurisdiction

Printed Name of Chief Legal Officer

Date of Certification

Title of Chief Legal Officer of the Jurisdiction

Name of Applicant Government Entity (*i.e.*, the applicant to the FY 2017 OJP Program identified below)

FY 2017 OJP Program: Byrne Justice Assistance Grant ("JAG") Program



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

OMB Number: 1121-0329
Expiration Date: 12/31/2018

FINANCIAL MANAGEMENT AND SYSTEM OF INTERNAL CONTROLS QUESTIONNAIRE

The financial management system of each non-Federal entity must provide for the following

- Retention requirements for records
- Requests for transfer of records
- Methods for collection, transmission and storage of information
- Access to records
- Restrictions on public access to records

- (1) Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, name of the Federal agency, and name of the pass-through entity, if any.
- (2) Accurate, current, and complete disclosure of the financial results of each Federal award or program.
- (3) Records that identify adequately the source and application of funds for federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.
- (4) Effective control over, and accountability for, all funds, property, and other assets. The non-Federal entity must adequately safeguard all assets and assure that they are used solely for authorized purposes.
- (5) Comparison of expenditures with budget amounts for each Federal award.
- (6) Written procedures to document the receipt and disbursement of Federal funds including procedures to minimize the time elapsing between the transfer of funds from the United States Treasury or the pass-through entity and the disbursement by the non-Federal entity whether the payment is made by electronic funds transfer, or issuance or redemption of checks, warrants, or payment by other means.
- (7) Written procedures for determining the allowability of costs.

APPLICANT ORGANIZATIONAL INFORMATION

1. Name of Organization and Address:

Organization Name: **Brevard County**
 Street1: **2725 Judge Fran Jamieson Way**
 Street2: **Building C**
 City: **Viera**
 State: **FL: Florida**
 Zip Code: **32940**

2. Authorized Representative's Name and Title:

Prefix: First Name: **Greg** Middle Name:
 Last Name: **Pelham** Suffix:
 Title: **Chief Financial Officer**

3. Phone: **(321) 264-5206** 4. Fax: **n/a**

5. Email: **gregory.pelham@bcso.us**

6. Year Established: 7. Employer Identification Number (EIN): **59-6000528** 8. DUNS Number: **98307320**

9. Type of Organization:

State Municipality Non-Profit Higher Education Tribal For-Profit
 Other: **County**



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

OMB Number: 1121-0329
Expiration Date: 12/31/2018

AUDIT INFORMATION

An audit is conducted using generally accepted auditing standards (GAAS) or Generally Accepted Governmental Auditing Standards (GAGAS) and results in an audit report with an opinion.

10. The organization has undergone the following types of audit(s)(Please check all that apply):

- OMB A-133 Single Audit
- Financial Statement Audit
- Defense Contract Agency Audit (DCAA)
- None
- Programmatic Audit & Agency:

Other Audit & Agency:

11. Most Recent Audit: Within the past 12 months Within the past two years More than two years

Name of Audit Agency/Firm:

Berman Hopkins Wright & LaHam

AUDITOR'S OPINION:

12. On the most recent audit, what was the auditor's opinion?

- Unqualified Opinion
- Qualified Opinion
- Disclaimer, Going Concern or Adverse Opinions

Please enter the number of findings:

Please enter the amount of questioned costs:

Were material weaknesses noted in either the Financial Statement or Single Audit? Yes No

ACCOUNTING SYSTEM

13. Which of the following best describes your accounting system:

- Manual
- Automated
- Combination

14. Does the accounting system identify the receipt and expenditure of program funds separately for each grant?

- Yes
- No
- Not Sure

15. Does the accounting system provide for the recording of expenditures for each grant/contract by budget cost categories shown in the approved budget?

- Yes
- No
- Not Sure

16. Does your accounting system have the capability to document the recording of cost sharing or match for each grant? Can you determine if documentation is available to support recorded match or cost share?

- Yes
- No
- Not Sure

17. Are time distribution records maintained for each employee that specifically identify effort charged to a particular grant or cost objective?

- Yes
- No
- Not Sure

18. Does the accounting/financial system include budgetary controls to preclude incurring obligations or costs in excess of total funds available or by budget cost category (e.g. Personnel, Travel, etc.)?

- Yes
- No
- Not Sure

19. Is the organization familiar with the existing Federal regulation and guidelines containing the Cost Principles and procedures for the determination and allowance of costs in connection with Federal grants?

- Yes
- No
- Not Sure



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

OMB Number: 1121-0329
Expiration Date: 12/31/2018

PROPERTY STANDARDS, PROCUREMENT STANDARDS, AND TRAVEL POLICIES

PROPERTY STANDARDS

20. Does your property management system(s) provide for maintaining:
(1) a description of the equipment; (2) an identification number; (3) source of the property, including the award number; (4) where title vests; (5) acquisition date; (6) federal share of property cost; (7) location and condition of the property; (8) acquisition cost; & (9) ultimate disposition information?

Yes No Not Sure

PROCUREMENT STANDARDS

21. Does your organization maintain written procurement procedures which (1) avoid unnecessary purchases; (2) provide an analysis of lease and purchase alternatives; and (3) provide a process for soliciting goods and services?

Yes No Not Sure

22. Does your procurement system provide for the conduct to determine selection on a competitive basis and documentation of cost or price analysis for each procurement action?

Yes No Not Sure

23. Does your procurement system include provisions for checking the "Excluded Parties List" system for suspended or debarred sub-grantees and contractors, prior to award? Please visit www.sam.gov.

Yes No Not Sure

TRAVEL POLICY

24. Does your organization:

(a) maintain a standard travel policy?

Yes No

(b) adhere to the Federal Travel Regulation? (FTR)

Yes No

SUBRECIPIENT MANAGEMENT AND MONITORING

25. (For Pass-through entities only). Does your organization have controls in place to monitor activities of subrecipients, as necessary, to determine that Federal awards are used for authorized purposes in compliance with laws, regulations, and the provisions of the award and that performance goals are achieved (2 CFR200)?

Yes No Not Sure
 N/A (Your organization does not make subawards.)

STANDARDS FOR FINANCIAL MANAGEMENT SYSTEMS AND APPLICANT CERTIFICATION

I certify that the above information is complete and correct to the best of my knowledge. This document must be certified by the organization's Authorized Representative, Executive Director, Chief Financial Officer, Chairman of the Board of Directors, or similar position.

Name:

Greg Pelham

Date: **2017-08-14**

Title:

Executive Director Chief Financial Officer Chairman
 Other _____

Phone:

(321) 264-5206

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

State or Local Government: FY 2017 Certification of Compliance with 8 U.S.C. § 1373

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Signature of Chief Legal Officer of the Jurisdiction

Printed Name of Chief Legal Officer

Date of Certification

Title of Chief Legal Officer of the Jurisdiction

Name of Applicant Government Entity (*i.e.*, the applicant to the FY 2017 OJP Program identified below)

FY 2017 OJP Program: Byrne Justice Assistance Grant ("JAG") Program