



AGENDA REPORT
September 18, 2018

**Permission to Advertise Public Hearing to consider application for the 2018
Edward Byrne Memorial Justice Assistance**

SUBJECT:

Permission to Advertise Public Hearing to consider application for the 2018 Edward Byrne Memorial Justice Assistance

FISCAL IMPACT:

This grant provides funding in the amount of \$56,248 and does not require a local match.

DEPT/OFFICE:

Agenda Coordinator

REQUESTED ACTION:

It is requested that the Board of County Commissioners grant permission to advertise a Public Hearing to consider the FY 2018 Edward Byrne Memorial Justice Assistance Grant application.

SUMMARY EXPLANATION and BACKGROUND:

The U.S. Department of Justice has notified the Sheriff's Office of the availability of the FY 2018 Edward Byrne Memorial JAG - Local Solicitation. Brevard County is eligible to receive a direct allocation of \$56,248. Units of local government applying for this grant must use the funding for law enforcement purposes.

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.

Therefore, the Sheriff's Office is requesting permission to advertise a Public Hearing for the Board of County Commissioners to consider the 2018 Edward Byrne Memorial Assistance Grant Application. Cost associated with the advertisement will be the responsibility of the Sheriff's Office.

Contact: Greg Pelham

Phone/e-mail: (321) 264-5206, gregory.pelham@bcso.us

ATTACHMENTS:

Description

▫ **Application**



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

September 19, 2018

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

Attn: Greg Pelham

Dear Sheriff Ivey:

Re: Item F.19., Permission to Advertise Public Hearing to Consider Application for the 2018 Edward Byrne Memorial Justice Assistance Grant

The Board of County Commissioners, in regular session on September 18, 2018, granted permission to advertise a public hearing to consider the FY 2018 Edward Byrne Memorial Justice Assistance Grant Application.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

cc: Finance
Budget

APPLICATION FOR FEDERAL ASSISTANCE	2. DATE SUBMITTED August 21, 2018	Applicant Identifier
1. TYPE OF SUBMISSION Application Non-Construction	3. DATE RECEIVED BY STATE	State Application Identifier
	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION		
Legal Name Brevard County	Organizational Unit County	
Address 2725 Judge Fran Jamieson Way Building C Viera, Florida 32940-6605	Name and telephone number of the person to be contacted on matters involving this application Pelham, Greg (321) 264-7753	
6. EMPLOYER IDENTIFICATION NUMBER (EIN) 59-6000528	7. TYPE OF APPLICANT County	
8. TYPE OF APPLICATION New	9. NAME OF FEDERAL AGENCY Bureau of Justice Assistance	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 16.738 CFDA Edward Byrne Memorial Justice Assistance Grant TITLE: Program	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT Investigative Fraud Agent Position	
12. AREAS AFFECTED BY PROJECT All incorporated and unincorporated areas of Brevard County		
13. PROPOSED PROJECT Start Date: October 01, 2017 End Date: September 30, 2021	14. CONGRESSIONAL DISTRICTS OF a. Applicant b. Project FL15	
15. ESTIMATED FUNDING	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? Program is not covered by E.O. 12372	
Federal	\$56,248	
Applicant	\$0	
State	\$0	
Local	\$0	

Other	\$0	
Program Income	\$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
TOTAL	\$56,248	
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

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 (2015, 2016 and 2017) 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.

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 2017, 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

Budget Narrative

		Annual Salary 2,080 hrs.	Grant 1,209 hrs.
Agent	\$30.38/hr.	63,190	36,729
FICA	7.65%	4,834	2,810
FRS	24.50%	15,482	8,999
Wrk Comp	3.45%	2,180	1,267
Life Ins	0.50%	316	183
Health	\$5.19/hr.	10,795	6,260
		96,797	56,248
			58.11%

The total funds for the grant are used for 58% of Personnel Costs for a Fraud Agent.

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

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



Background

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

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

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

1. Name of Organization and Address:

Organization Name: Brevard County
 Street1: 2725 Judge Fran Jamieson Way
 Street2: Building C
 City: Viera
 State: 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:

5. Email: gregory.pelham@bcso.us

6. Year Established:	7. Employer Identification Number (EIN): 596000528	8. DUNS Number: 98307320
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9. a) Is the applicant entity a nonprofit organization (including a nonprofit institution of higher education) as described in 26 U.S.C. 501(c)(3) and exempt from taxation under 26 U.S.C. 501(a)? Yes No

If "No" skip to Question 10.

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



AUDIT INFORMATION

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



17. Does the applicant entity's accounting system have the capability to accurately track employees actual time spent performing work for each federal award, and to accurately allocate charges for employee salaries and wages for each federal award, and maintain records to support the actual time spent and specific allocation of charges associated with each applicant employee?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
18. Does the applicant entity's accounting system include budgetary controls to preclude the applicant entity from incurring obligations or costs that exceed the amount of funds available under a federal award (the total amount of the award, as well as the amount available in each budget cost category)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
19. Is applicant entity familiar with the "cost principles" that apply to recent and future federal awards, including the general and specific principles set out in 2 C.F.R. Part 200?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure

PROPERTY STANDARDS AND PROCUREMENT STANDARDS

20. Does the applicant entity's property management system(s) maintain the following information on property purchased with federal award funds (1) a description of the property; (2) an identification number; (3) the source of funding for the property, including the award number; (4) who holds title; (5) acquisition date; (6) acquisition cost; (7) federal share of the acquisition cost; (8) location and condition of the property; (9) ultimate disposition information?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
21. Does the applicant entity maintain written policies and procedures for procurement transactions that -- (1) are designed to avoid unnecessary or duplicative purchases; (2) provide for analysis of lease versus purchase alternatives; (3) set out a process for soliciting goods and services, and (4) include standards of conduct that address conflicts of interest?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
22. a) Are the applicant entity's procurement policies and procedures designed to ensure that procurements are conducted in a manner that provides full and open competition to the extent practicable, and to avoid practices that restrict competition?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
22. b) Do the applicant entity's procurement policies and procedures require documentation of the history of a procurement, including the rationale for the method of procurement, selection of contract type, selection or rejection of contractors, and basis for the contract price?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure
23. Does the applicant entity have written policies and procedures designed to prevent the applicant entity from entering into a procurement contract under a federal award with any entity or individual that is suspended or debarred from such contracts, including provisions for checking the "Excluded Parties List" system (www.sam.gov) for suspended or debarred sub-grantees and contractors, prior to award?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Sure

TRAVEL POLICY

24. Does the applicant entity:	
(a) maintain a standard travel policy?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(b) adhere to the Federal Travel Regulation (FTR)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

SUBRECIPIENT MANAGEMENT AND MONITORING

25. Does the applicant entity have written policies, procedures, and/or guidance designed to ensure that any subawards made by the applicant entity under a federal award -- (1) clearly document applicable federal requirements, (2) are appropriately monitored by the applicant, and (3) comply with the requirements in 2 CFR Part 200 (see 2 CFR 200.331)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Sure <input checked="" type="checkbox"/> N/A - Applicant does not make subawards under any OJP awards
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26. Is the applicant entity aware of the differences between subawards under federal awards and procurement contracts under federal awards, including the different roles and responsibilities associated with each?

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

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

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

DESIGNATION AS 'HIGH-RISK' BY OTHER FEDERAL AGENCIES

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

- Yes No Not Sure

If "Yes", provide the following:

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

[Redacted]

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

[Redacted]

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

Name: [Redacted]

Phone: [Redacted]

Email: [Redacted]

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

[Redacted]

CERTIFICATION ON BEHALF OF THE APPLICANT ENTITY

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

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

Name: Greg Pelham Date: 2018-08-20

Title: Executive Director Chief Financial Officer Chairman

Other: [Redacted]

Phone: (321) 264-5206 [Redacted]

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.

Review Narrative

The Brevard County Board of County Commissioners will receive this JAG application for review on September 11, 2018. The public comment requirement will be satisfied on October 9, 2018, at a regularly scheduled Board of County Commissioners meeting. This amendment hereby serves as acknowledgment that, on October 9, 2018, both the Governing Body Review process and the public comment requirement will be met.