

REPORT FROM

## OFFICE OF THE CITY ADMINISTRATIVE OFFICER

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Date: December 13, 2012

CAO File No. 0220-03231-0045

Council File No. 12-1494

Council District: --

To: The Mayor  
The Council

From: Miguel A. Santana, City Administrative Officer *DH  
RW*

Reference: Transmittal from the Los Angeles Police Commission dated September 17, 2012

Subject: **2012 COMMUNITY ORIENTED POLICING SERVICES (COPS) HIRING PROGRAM GRANT**

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### SUMMARY

The Los Angeles Police Department (LAPD) requests authority to accept the 2012 Community Oriented Policing Services (COPS) Hiring Program Grant (2012 CHP Grant) from the United States Department of Justice, Office of Community Oriented Policing Services Division (grantor), in the amount of \$6,428,350. The 2012 CHP Grant is a competitive grant program that provides funding directly to law enforcement agencies to hire new, additional officer positions who are post-September 11, 2001 military veterans with a minimum of 180 consecutive days of active military duty since September 11, 2001 to increase community policing capacity and crime prevention efforts. These 25 officers will replace 25 non-General Funded sworn officers assigned to four of the Housing Authority of the City of Los Angeles' (HACLA's) public housing developments as part of the Community Safety Partnership (CSP) Program formed by HACLA and the LAPD.

The \$6,428,350 grant will provide partial funding for salaries and fringe benefits for 25 officers for three years. The City will be required to maintain the funding for these 25 officers in the fourth year. The grant does not provide funding for equipment. The LAPD has received a waiver from the 25 percent local match requirement, which requires grantees to provide a cash match from funds not previously budgeted for law enforcement purposes. As such, the cost to the City of accepting the grant is minimal in years one through three.

The LAPD's current authorized deployment level is 9,963 officers, which consists of 9,534 General Fund officers, 19 State-rate officers, and 410 special or grant funded officers. The maintenance of effort (MOE) for this grant is 25 officers above the Department's existing General Funded position authorities; therefore, the LAPD will need to maintain its existing 9,534 General Funded officers. Our Office recommends acceptance of the grant. Acceptance of the grant in accordance with the recommendations contained herein will: 1) ensure the City's ability to hire to attrition and maintain an authorized deployment of at least 9,963 officers which is consistent with the Adopted Budget; 2) provide for the opportunity to adjust the LAPD workforce based on future budget actions; and 3) maximize the utilization of grant resources.

**BACKGROUND**

On March 22, 2012, the LAPD requested \$6,428,350 to hire 25 additional police officers using 2012 CHP Grant funds. On July 12, 2012, the grantor awarded the LAPD \$6,428,350 to hire 25 additional officers for three years with a minimum of 180 consecutive days of active military duty since September 11, 2001. The Maintenance of Effort (MOE) for this grant is 25 officers; the additional officers must be maintained above the Department's number of General Funded position authorities, 9,534 officers. CHP Grant funds may be used in one of three ways: 1) 25 new hires; 2) to rehire 25 previously laid off officers; or 3) to rehire 25 officers scheduled for layoff.

The grant will reimburse the LAPD for salaries for 25 officers up to \$3,956,775 over the first three years of the grant, and up to \$2,471,575 for fringe benefits costs. The City is responsible for costs of maintaining the additional officers in the fourth year. The grant does not reimburse for equipment costs of \$224,294 for 25 new officers. The General Fund impact of accepting the grant is \$2,850,597 (\$2,626,303 in Salary and Health & Welfare and Pension costs and \$224,294 in Equipment costs) over four years. The 2012 CHP Grant award does not reimburse for the Department Administration or Central Services Cost Allocation Plan (CAP); these overhead costs are not included in our calculations.

**Table 1. Summary of 2012 CHP Costs**

Fiscal Year	Salary	Health and Welfare	Pension	Equipment	Total Cost
Year One	\$1,223,575	\$315,650	\$55,061	\$224,294	<b>\$1,818,580</b>
Year Two	\$1,309,700	\$329,500	\$580,590	\$0	<b>\$2,219,790</b>
Year Three	\$1,423,500	\$344,325	\$693,671	\$0	<b>\$2,461,496</b>
Year Four	\$1,501,775	\$359,825	\$764,703	\$0	<b>\$2,626,303</b>
<b>Total</b>	<b>\$5,458,550</b>	<b>\$1,349,300</b>	<b>\$2,094,025</b>	<b>\$224,294</b>	<b>\$9,126,169</b>

Although the Grant is for the LAPD to hire 25 additional officers, it is important to note that, per the grant application and 2012 COPS Hiring Program Grant Terms and Conditions, the City can request a grant modification to adjust the use of the grant funds as the City's fiscal needs change. Committing to accepting the award for hiring one year does not preclude the LAPD from modifying the award type to layoff avoidance the next year.

Consistent with the Council action relative to the Adopted 2012-13 Budget to hire to attrition, the current authorized deployment level for the LAPD is 9,963 officers and includes all sworn positions within the LAPD regardless of funding source; however, on July 1, 2012, there were only 9,932 officers employed by the LAPD. The grantor has indicated that positions funded by non-local, General Fund, sources and unfunded positions should not be included in the 2012 CHP base. As such, the LAPD will request that the grantor remove the following positions from the CHP application base:

- 1) Officers in State-rate Funded Injury on Duty (IOD) Authorities – State-rate IOD officers are not compensated by the City, but the officers maintain property rights to their positions. When an officer is placed on state-rate disability and the LAPD does not have a vacant

authority to hire a replacement, our Office authorizes an unfunded substitute authority to protect the employee's position without permanently altering the LAPD's position count. When the officer returns to work, they are placed into a regular authority and the substitute authority is deleted. On July 1, 2012, the LAPD had 19 officers in substitute IOD authorities.

- 2) **Non-General Funded Positions** – The Department anticipates non-General Fund receipts in excess of \$35.6 million during the current fiscal year. The majority of the receipts, \$31 million, will come from the Local Public Safety Fund (LPSF); LPSF funds are used to pay for the salaries of officers engaged in local law enforcement. Based on the average annual salary of a LAPD officer, \$95,628, the LPSF will pay for 326 officers. In addition to the LPSF, the LAPD receives Supplemental Law Enforcement Services Funds (SLESF) to pay for 18 officers currently assigned to Community Law Enforcement and Recovery (CLEAR) sites. In total, the LAPD has over 410 sworn positions tied to non-General Funded sources. Positions fully or partially funded by grant funds and/or special funds, such as the Internet Crimes Against Children Grants and the Supplemental Law Enforcement Services Grant, should be excluded from the base that the 2012 CHP Grant MOE will be applied to. The City is not required to backfill and/or maintain funding for authorities that are not funded by the City's General Fund. When grant or special funding is curtailed or no longer available, the associated program should be similarly curtailed or discontinued; if the LAPD wishes to continue a program when outside funding is no longer available, then the LAPD should be instructed to submit a formal budget request, subject to the approval of the Mayor and Council, to use General Funds to continue the program.

The positions that were removed from the CHP deployment base are summarized in Table 2. The CHP base deployment was reduced by an additional 375 officers from 9,963 officers to 9,588 officers. Although the CHP base reflects a lower baseline than current deployment, the number of authorized sworn authorities is significantly higher. The Mayor and Council authorized deployment level fluctuates throughout the fiscal year due to changes in the LAPD's budget and the availability of grant and/or special funds. Acceptance of this grant will enhance the LAPD's current authorized deployment level by 25 officers. Similarly, the loss of grant or special funding decreases the authorized deployment level.

**Table 2. Summary of Position Authorities Separated from CHP Discussions**

Type	No. of Positions	Comments
Other Funding Source	410	Funding for these position authorities is based on the availability of grant or special funds. These authorities will be discontinued when funding is no longer available.
IOD Leave	19	19 sworn authorities filled by officers currently on State-rate Injury on Duty (IOD) Leave.
<b>TOTAL</b>	<b>429</b>	<b>Total number of authorities that should be separated from CHP discussions.</b>

Under the terms of the grant, the City may not reduce the General Funded number of sworn officer positions during the CHP grant period as a direct result of receiving the 2012 CHP Grant funding to pay for additional officers. For this reason, it is very important to separate out the sworn positions listed in Table 3, as illustrated in Table 4 below. Reductions in General Funded sworn officer positions that occur for reasons unrelated to the 2012 CHP Grant funding, such as city-wide budget cuts or reductions in outside funding, do not violate the non-supplanting requirement, but the LAPD

must maintain documentation demonstrating the dates and reasons for the budget cuts to prove that they were unrelated to the receipt of 2012 CHP Grant funding in the event of an audit. However, also under the agreement, the City may reduce the sworn workforce at any time for reasons unrelated to the availability of 2012 CHP Grant funds. Should the City reduce the authorized size of the sworn workforce, the City must be able to provide documentation demonstrating that the reduction-in-force occurred for reasons unrelated to the availability of 2012 CHP Grant funds.

Although our Office has identified 429 sworn positions within the LAPD that should not be included in the base, this does not imply that the LAPD currently has 429 positions that can be civilianized or deleted. These 429 positions have been identified because these positions are not funded by the City's General Fund.

Additionally, the non-supplanting requirement of the 2012 CHP Grant states that the grant recipient must hire any additional positions on or after the official grant award start date, which began June 1, 2012. The LAPD should be instructed to request reimbursement for officers meeting the military service requirements hired since the start of this fiscal year.

**Table 3. Summary of CHP and Non-CHP Deployment**

<b>Los Angeles Police Department – 9,988 Officers</b>		
Existing Deployment (2012-13) 9,963 Officers		<b><i>Officers Hired with 2012 CHP Grant Funds 20 Officers</i></b>
CHP Base 9,534 Officers	Non-CHP Base – 429 Officers	
	IOD Leave 19 Officers	

**CONCLUSION**

Closing the City's budget gap is a main priority of the Mayor and Council. It is recommended the City accept the 2012 CHP Grant. The grant will allow the City to enhance the current public safety services provided to the public by 25 officers at minimal cost for three years. However, per the grant application and 2012 COPS Hiring Program Grant Terms and Conditions, the City can request a grant modification to adjust the use of the grant funds as the City's fiscal needs change. Committing to accepting the award for hiring one year does not preclude the LAPD from modifying the award type to layoff avoidance the next year.

It is important to note the "Fiscal Cliff" that is pending at the Federal level as it could impact this grant. If Congress fails to enact legislation that reduces the budget deficit, the sequestration, or immediate budget reductions ("trigger cuts") under the Budget Control Act of 2011 will go into effect on January 2, 2013. Should this occur, the LAPD has identified this COPS Grant as one of the Federally-funded programs that could be impacted as the City may lose the funding provided under the 2012 COPS Grant. If this occurs, we recommend that the LAPD report back to the Mayor and Council on the impact to the 2012-13 Budget.

## RECOMMENDATIONS

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

1. Authorize the Chief of Police, or designee, to accept the 2012 Community Oriented Policing Services (COPS) Hiring Program (CHP) Grant Award in the amount of \$6,428,350 from the United States Department of Justice, Office of Community Oriented Policing Services (grantor), for the period June 1, 2012 through May 31, 2015;
2. Instruct the Chief of Police, or designee, to submit written documentation to the COPS Office to accurately reflect the number of General Funded sworn positions listed on the CHP award;
3. Authorize the Chief of Police, or designee, to negotiate and execute any grant award modifications necessary to maintain consistency between the 2012 CHP Grant Agreement and the Los Angeles Police Department's (LAPD) authorized hiring plan, as well as, any necessary documents relative to the grant award, subject to the approval of the City Attorney as to form and legality;
4. Authorize the LAPD to expend grant funds in accordance with the grant award cooperative agreement for the duration of the grant term;
5. Authorize the Controller to:
  - a. Establish a new grant receivable for the 2012 COPS Hiring Program (CHP) Grant in the amount of \$6,428,350, within Fund No. 339, Department 70;
  - b. Establish an appropriation account, account number to be determined by the Controller's Office, in Fund No. 339, Department No. 70 for the 2012 CHP Grant;
  - c. Increase appropriations, up to \$1,223,575, for the 2012 CHP 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 No. 001012, Sworn Salaries;
  - d. Transfer appropriations within Fund No. 339, Department 70, for related costs:

From:	Account Number	Amount
	Appropriation account	\$762,550
	number to be determined	
To:	Account Number	Amount
	Related Costs	\$762,550
6. Authorize the City Clerk to place on the City Council agenda on July 1, 2013, or the first meeting day thereafter the following instructions:

a. Authorize the Controller to transfer appropriation within Fund No. 339 Department No. 70, for related costs:

From: Account Number	Amount
Appropriation account number to be determined	\$816,225

To: Account Number	Amount
Related Costs	\$816,225

b. Authorize the Controller to increase appropriations for the 2012 COPS Hiring Program 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. 001012, Sworn Salaries, \$1,309,700

7. Authorize the City Clerk to place on the City Council agenda on July 1, 2014, or the first meeting day thereafter the following instructions:

a. Authorize the Controller to transfer appropriation within Fund No. 339, Department No. 70, for the related costs:

From: Account Number	Amount
Appropriation account number to be determined	\$892,800

To: Account Number	Amount
Related Costs	\$892,800

b. Authorize the Controller to increase appropriations for the 2012 COPS Hiring Program 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. 001012, Sworn Salaries, \$1,423,500

8. Authorize the LAPD to submit grant reimbursement requests to the grantor and deposit grant reimbursement receipts into Fund No. 339, Department No. 70;

9. Authorize the LAPD to begin hiring CHP funded officers on July 1, 2012;

10. Instruct the LAPD to request grant reimbursement for all CHP funded officers hired under the terms and conditions and in accordance with the provisions of the CHP Award Agreement since July 1, 2012;

11. Authorize the LAPD to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and authorize and instruct the Controller to implement the instructions.

## **FISCAL IMPACT STATEMENT**

The fiscal impact of the salaries and fringe benefits related to the administration of the 2012 Community Oriented Policing Services Hiring Program Grant is \$6,428,350; grant monies are provided on a reimbursement basis; therefore the Los Angeles Police Department will provide front funding for this program. The City's financial support of the CHP award will extend beyond the CHP funding period; after the fourth year, the City may discontinue funding the CHP-funded positions. The General Fund impact of accepting this grant is \$2,850,597 (\$2,626,303 in Salary and Health & Welfare and Pension costs and \$224,294 in Equipment costs) over four years. These recommendations are in compliance with City's Financial Policies in that expenditure of CHP funds is strictly limited to the mandates of the funding source. CHP Funds are not to be used to subsidize other General Fund programs. Current appropriations for all CHP funds are limited to the sum of available, unencumbered cash balances, and revenues estimated to be received in the current budget year. The City will consider General Fund requests for new or existing programs during the course of the annual budget process.

MAS:AS:04130062c

# LOS ANGELES POLICE COMMISSION

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LOS ANGELES, CA 90012-4112

(213) 236-1400 PHONE  
(213) 236-1410 FAX  
(213) 236-1440 TDD

September 17, 2012

BPC #12-0372

The Honorable Antonio Villaraigosa  
Mayor, City of Los Angeles  
City Hall, Room 303  
Los Angeles, CA 90012

The Honorable City Council  
City of Los Angeles  
c/o City Clerk's Office

Dear Honorable Members:

RE: TRANSMITTAL OF THE GRANT APPLICATION AND AWARD FOR THE 2012  
COMMUNITY ORIENTED POLICING SERVICES (COPS) HIRING PROGRAM  
GRANT

At the regular meeting of the Board of Police Commissioners held Tuesday, September 11, 2012, the Board APPROVED the Department's report relative to the above matter.

This matter is being forwarded to you for approval.

Respectfully,

BOARD OF POLICE COMMISSIONERS

A handwritten signature in cursive script that reads "Maria Silva".

MARIA SILVA  
Commission Executive Assistant

Attachment

c: Chief of Police



INTRADPARTMENTAL CORRESPONDENCE

12-0372

ED

September 6, 2012  
1.17

RECEIVED

SEP 05 2012

POLICE COMMISSION

**TO:** The Honorable Board of Police Commissioners

**FROM:** Chief of Police

**SUBJECT:** TRANSMITTAL OF THE GRANT APPLICATION AND AWARD FOR  
THE 2012 COMMUNITY ORIENTED POLICING SERVICES (COPS)  
HIRING 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 Council committee and City Council consideration.
3. That the Board REQUEST the Mayor and City Council to:
  - A. AUTHORIZE the Chief of Police to ACCEPT the 2012 COPS Hiring Program grant award in the amount of \$6,428,350 from the Office of Community Oriented Policing Services, United States Department of Justice, for the period of June 1, 2012, through May 31, 2015;
  - B. AUTHORIZE the Los Angeles Police Department (LAPD) to spend up to the grant amount in accordance with the grant award agreement;
  - C. AUTHORIZE the LAPD to submit grant reimbursement requests to the grantor and deposit grant receipts in Fund No. 339, Department No. 70;
  - D. AUTHORIZE the Controller to set up a grant receivable and establish an appropriation account, account number to be determined, within Fund 339, Department 70, for disbursement of the 2012 COPS Hiring Program grant in accordance with the grant award agreement;
  - E. AUTHORIZE the Controller to increase appropriations for the 2012 COPS Hiring Program 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. 001012, Sworn Salaries, \$1,223,575

F. AUTHORIZE the Controller to transfer appropriation within Fund No. 339, Department No. 70, for the related costs:

From:	
<u>Account Number</u>	<u>Amount</u>
Appropriation account number to be determined	\$762,550

To:	
<u>Account Number</u>	<u>Amount</u>
Related Costs	\$762,550

G. AUTHORIZE the City Clerk to place on the City Council agenda on July 1, 2013, or the first meeting day thereafter the following instructions:

a. AUTHORIZE the Controller to transfer appropriation within Fund No. 339, Department No. 70, for the related costs:

From:	
<u>Account Number</u>	<u>Amount</u>
Appropriation account number to be determined	\$816,225

To:	
<u>Account Number</u>	<u>Amount</u>
Related Costs	\$816,225

b. AUTHORIZE the Controller to increase appropriations for the 2012 COPS Hiring Program 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. 001012, Sworn Salaries, \$1,309,700

H. AUTHORIZE the City Clerk to place on the City Council agenda on July 1, 2014, or the first meeting day thereafter the following instructions:

a. AUTHORIZE the Controller to transfer appropriation within Fund No. 339, Department No. 70, for the related costs:

From:	
<u>Account Number</u>	<u>Amount</u>
Appropriation account number to be determined	\$892,800

To:	
<u>Account Number</u>	<u>Amount</u>
Related Costs	\$892,800

- b. AUTHORIZE the Controller to increase appropriations for the 2012 COPS Hiring Program 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. 001012, Sworn Salaries, \$1,423,500

- I. AUTHORIZE the LAPD to prepare Controller instructions for any technical adjustments, subject to the approval of the CAO, and AUTHORIZE and INSTRUCT the Controller to implement the instructions.

### DISCUSSION

The Community Safety Partnership (CSP) program, formed by the partnership between the Housing Authority of the City of Los Angeles (HACLA) and the LAPD, has expanded and strengthened the partnerships and goodwill established in the public housing communities of Ramona Gardens, Nickerson Gardens, Jordan Downs, and Imperial Courts in South LA. The CSP aims to increase and enhance the safety, security, and welfare of HACLA residents through the presence and relationships of LAPD police officers who are primarily deployed in the four communities. Officers assigned to this detail will be the primary LAPD ambassadors to the residents and will be intimately involved in all community activities and concerns, as well as monitor and control criminal activities. The grant has enhanced the effectiveness of the program by allowing the Department to replace the 25 reassigned officers. The \$6,428,350 three year award will fund 75 percent of the salaries and fringe benefits of 25 new sworn hires who will replace the officers assigned to the CSP. These new hires will have met the COPS required minimum of 180 consecutive days of active military duty since September 11, 2001.

If you have any questions, please contact Chief Information Officer Maggie Goodrich, Commanding Officer, Information Technology Bureau, at (213) 486-0370.

Respectfully,



CHARLIE BECK  
Chief of Police

BOARD OF  
POLICE COMMISSIONERS  
Approved September 11, 2012  
Secretary Maria Silva

Attachments

INTE DEPARTMENTAL CORRESPONDENCE

August 24, 2012

1.17

**TO:** Chief of Police

**FROM:** Commanding Officer, Information Technology Bureau

**SUBJECT:** TRANSMITTAL OF THE GRANT APPLICATION AND AWARD FOR  
THE 2012 COMMUNITY ORIENTED POLICING SERVICES HIRING  
PROGRAM GRANT

Attached for your approval and signature is an Intradepartmental Correspondence to the Board of Police Commissioners, requesting retroactive approval to transmit the attached grant application for the 2012 COPS Hiring 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 Council Committee and City Council consideration. The Los Angeles Police Department (LAPD) is requesting authorization to accept the \$6,428,350 of requested funding for the period of June 1, 2012, through May 31, 2015.

The \$6,428,350 three year award will fund the salaries and fringe benefits of 25 new sworn hires who have had at least 180 consecutive days of active military duty since September 11, 2001. These new hires will backfill 25 of the officers who have been reassigned to the Community Safety Partnership (CSP) program. The Community Safety Partnership (CSP) program, formed between the Housing Authority of the City of Los Angeles (HACLA) and the LAPD, has expanded and strengthened the partnerships and goodwill established in the public housing communities of Ramona Gardens, Nickerson Gardens, Jordan Downs, and Imperial Courts in South LA. The CSP aims to increase and enhance the safety, security, and welfare of HACLA residents through the presence and relationships of LAPD police officers who are primarily deployed in the four communities.

If you have any questions regarding this matter, please contact me at (213) 486-0352 or Sr. Management Analyst Stella Larracas, Officer in Charge, Grants Section, at (213) 486-0380.



MAGGIE GOODRICH, Chief Information Officer  
Commanding Officer  
Information Technology Bureau

Attachments