

January 20, 2012
1.17

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: TRANSMITTAL OF THE 2011-2012 SOBRIETY CHECKPOINT MINI-GRANT PROGRAM APPLICATION FROM THE UNIVERSITY OF CALIFORNIA BERKELEY – SAFE TRANSPORTATION RESEARCH AND EDUCATION CENTER

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) TRANSMIT the attached grant application for the 2011-2012 Sobriety Checkpoint Mini-Grant Program, pursuant to Administrative Code Section 14.6(a), to the Offices of the Mayor, the City Administrative Officer (CAO), and the Chief Legislative Analyst, and to the City Clerk for committee and City Council consideration.
2. That the Board REVIEW and APPROVE this report.
3. That the Board REQUEST the Mayor and City Council to:
 - A. AUTHORIZE the Chief of Police or his designee to ACCEPT the award of the 2011-2012 Sobriety Checkpoint Mini-Grant Program from the University of California Berkeley – Safe Transportation Research and Education Center (UCB – SafeTREC) in the amount of \$749,920, for the period of December 15, 2011, through September 4, 2012;
 - B. AUTHORIZE the Chief of Police or his designee to execute the Grant Agreement on behalf of the City and submit the necessary documents relative to the grant award, subject to the approval of the City Attorney as to form and legality;
 - C. AUTHORIZE the Chief of Police to reapply for UCB – SafeTREC grants on behalf of the City as they become available;
 - D. AUTHORIZE the Los Angeles Police Department (LAPD) to expend \$749,920 of Sobriety Checkpoint Mini-Grant funds in accordance with the Grant Agreement;
 - E. AUTHORIZE the Controller to set up a grant receivable in the amount of \$749,920 and establish an appropriation account, account number to be determined, within Fund No. 339, Department No. 70, for the disbursement of Sobriety Checkpoint Grant funds;

- F. AUTHORIZE the Controller to increase appropriations as needed from 2011-2012 Sobriety Checkpoint Mini-Grant Program, Fund No. 339, appropriation account number to be determined, Department No. 70, to Fund No. 100, Department No. 70, account numbers and amounts as follows:

Account No. 001092, Overtime Sworn, \$390,000
Account No. 001090, Overtime Civilian, \$14,400; and

- G. AUTHORIZE the City Clerk to place on the City Council agenda on July 1, 2012 or the first meeting day thereafter the following instructions:

- a. AUTHORIZE the Controller to increase appropriations as needed from Fund No. 339, Department No. 70, of the 2011-2012 Sobriety Checkpoint Mini-Grant Program appropriation, account number to be determined, to Fund No. 100, Department No. 70, account numbers and amounts as follows:

Account No. 001092, Overtime Sworn, \$286,000
Account No. 001090, Overtime Civilian, \$10,560; and

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

- 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

Over the past two years, approximately 30 people have been killed and over 2,000 people injured in DUI-related traffic collisions in the City. The Sobriety Checkpoint Program will use grant funding to deploy officers and civilians at 52 sobriety checkpoints from December 15, 2011, through September 4, 2012. The goal of the checkpoints is to reduce the number of victims killed and injured in DUI-related traffic collisions.

The remaining sworn and civilian overtime amount of \$296,560 will be utilized in Fiscal Year 2012-2013. In addition, \$49,000 of the grant will be used to purchase 40 portable breath alcohol testing devices, lights, cones and other pertinent equipment needed to safely conduct a sobriety checkpoint.

In 2010, the Department was a recipient of a \$504,000 Sobriety Checkpoint Mini-Grant. During the grant period, the Department conducted 45 sobriety checkpoints that resulted in 327 DUI arrests and 528 vehicles were impounded.

The Honorable Board of Police Commissioners


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The UCB – SafeTREC classifies the Sobriety Checkpoint Programs as “mini-grants” because they are grants directed towards a specific issue (i.e. sobriety checkpoints) as opposed to a typical grant wherein the grantee decides how the funds should be used. The Sobriety Checkpoint Program Grant Agreement uses a standard format (with the exception of statistical data) used by all law enforcement agencies. The Sobriety Checkpoint Program requires zero matching funds from the Department except for the compensation of officers who are subpoenaed for court or administrative hearings resulting from arrests made during the checkpoints.

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

Respectfully,

A handwritten signature in black ink, appearing to read 'C. Beck', with a stylized flourish at the end.

CHARLIE BECK
Chief of Police

Attachments



The Regents of the University of California
 School of Public Health, Berkeley,
 with Primary Funding from the
 California Office of Traffic Safety

GRANT NUMBER
SC12239

GRANT

1. Title of Program

SOBRIETY CHECKPOINT MINI-GRANT PROGRAM FOR 2011-2012

2. Name of Applicant Agency

LOS ANGELES, CITY OF

4. Period of Grant

Month - Day - Year

3. University of California Berkeley, Safe Transportation Research and Education Center

DAVID RAGLAND, PRINCIPAL INVESTIGATOR, UC BERKELEY SAFE TRANSPORTATION RESEARCH AND EDUCATION CENTER

From: Date of fully executed contract

To: 09/04/12

5. Description of Program

The goal of the Sobriety Checkpoint Mini-Grant Program for 2011-2012 is to reduce the number of victims killed and injured in alcohol-involved crashes in participating cities. The period of this grant contract ("contract"), the date of fully executed contract to September 04, 2012, encompasses two national mobilization periods: the Winter Holiday Mobilization period, December 16, 2011 - January 01, 2012 and the Labor Day Mobilization period, August 17, 2012 - September 03, 2012. The Los Angeles Police Department will conduct sobriety checkpoints in Los Angeles in accordance with this contract. The contract includes the attached Schedule A - Descriptions, Schedule B - Detailed Budget Estimate, Schedule B-1 - Budget Narrative, and Schedule C - Terms and Conditions.

6. Federal Funds Allocated Under This Grant Shall Not Exceed:

\$749,920.00

7. Approval Signatures (By signing this page, Agency agrees to the terms and conditions which follow and are attached)

A. The Regents of the University of California Authorized Signature

Name: Jyl Baldwin Phone: 510-642-8110

Title: Associate Director, SPO Fax: 510-642-8236

Address: UC Berkeley Sponsored Projects Office
 2160 Shattuck Avenue, Suite 300
 Berkeley, CA 94704-5940

Email: jlbaldwin@berkeley.edu

(Signature)

12/15/11
 (Date)

B. Authorizing Official For Applicant Agency

Name: Charlie Beck Phone: (213) 486-0150

Title: Chief of Police Fax: (213) 486-0168

Address: 100 West First Street
 Los Angeles, CA 90012

Email: 21844@lapd.lacity.org

(Signature)

12-9-11
 (Date)

C. Agency Office Authorized to Receive Payments

Agency: Los Angeles, City of Phone: (213) 486-0381

Office: Contracts and Grants Section

Address: 100 West First Street, Room 842
 Los Angeles, CA 90012

Tax ID #: 95-6000735

Contact Person: Annette Arredondo

Email: N1462@lapd.lacity.org

D. Optional: Individuals Authorized to Sign Claims (In addition to the Authorizing Official for Applicant Agency)

Name: Laura Luna Title: Police Administrator

(Signature)

12/5/11
 (Date)

Name: Phillip Fontanetta Title: Captain

(Signature)

12/1/11
 (Date)

RECEIVED

**Schedule A - Description
Sobriety Checkpoint Mini-Grant Program for 2011-2012**

GOALS

1. To reduce the number of victims killed in alcohol-involved crashes.
2. To reduce the number of victims injured in alcohol-involved crashes.
3. To reduce nighttime (2100 hours to 0259 hours) single vehicle fatal crashes.
4. To reduce nighttime (2100 hours to 0259 hours) single vehicle injury crashes.
5. To reduce hit and run fatal crashes.
6. To reduce hit and run injury crashes.

AGENCY OBJECTIVES

1. To conduct a total of 52 sobriety checkpoints by September 3, 2012 (minimum one checkpoint per mobilization).

NOTE: If a department elects to combine a Driver License (DL) checkpoint with a sobriety checkpoint, the department should: 1) inform the public (via the press release) that driver licenses will be checked and 2) in accordance with the California Attorney General's Office, set up all DUI/DL checkpoint operations with signs (reading, "DUI/Driver License Checkpoint Ahead").

To better identify and apprehend Drug impaired drivers in addition to Alcohol impaired drivers, it is highly recommended that all personnel assigned to staff the greeting lane of the checkpoint be Drug Recognition Experts (DRE's) and/or Advanced Roadside Impaired Driving Enforcement (ARIDE) trained sworn officers. At the very minimum, all officers contacting drivers in the greeting lane should be NHTSA Standardized Field Sobriety Test (SFST) trained and certified.

To maximize effectiveness, it may be necessary to conduct a checkpoint operation at more than one location on any evening. Each checkpoint should be highly publicized and visible. **The Office of Traffic Safety (OTS) does not fund or support independent DL checkpoints or DUI/Driver License checkpoints operating before 1800 hours.** When practicable it is recommended that checkpoint operations run until 0300 hours.

Notify the Safe Transportation Research and Education Center (SafeTREC) in advance if the agency: a) cannot conduct a minimum of one checkpoint during each of the two mobilization periods, and/or b) wishes to conduct checkpoints in addition to those listed in Schedule B.

2. A supervisor(s) should attend OTS-sponsored "DUI Checkpoints – Planning and Management" eight-hour, POST-certified training by December 31, 2011 (this is waived if the supervisor has already attended the training). Officers are encouraged to attend this training as well.
3. To collect and report checkpoint statistics on-line for checkpoints conducted during the Winter and Labor Day mobilization periods and submit the data by the deadlines established by the SafeTREC.
4. To collect and report checkpoint statistics on-line for checkpoints conducted outside the mobilization periods and to submit the data by the end of the applicable quarter(s).
5. Prepare claims in accordance with Schedule B-1- Budget Narrative. NOTE: All sobriety checkpoints identified for funding reimbursement in this contract are over and above other checkpoints that may be included in another OTS grant for sobriety checkpoint funding.

Schedule A - Description (continued)
Sobriety Checkpoint Mini-Grant Program for 2011-2012

MEDIA OBJECTIVES

1. After the statewide kick-off press event, issue a press release announcing the kick-off of this grant, using the OTS kick-off press release template provided by SafeTREC.
2. During the mobilization periods (December 16 - January 1 and August 17- September 3), if an AVOID media campaign is active in the county, grantee should notify the AVOID Coordinator of checkpoint locations, dates and times at least fourteen (14) days in advance of all planned checkpoints. The AVOID Coordinator should issue press releases including checkpoints conducted during the mobilization periods to all major media outlets in the region.
3. For each checkpoint operation, grantee should distribute a separate press release to local community papers using the OTS template provided by SafeTREC unless multiple checkpoints are to be conducted within a seven (7) day period, in which case one press release covering the seven (7) day period that covers all operations will suffice. When using the OTS press release template provided by SafeTREC, grantee should forward press releases, media advisories, alerts and other press materials to SafeTREC concurrently with distribution to the media. If any other press release format or copy is used, grantee should submit the press release to the OTS Public Information Officer at pio@ots.ca.gov for his review (for post-operational media communications that report the results of checkpoints, grantee does not need to have the release approved by OTS). Optimum lead-time would be 10 – 20 days prior to the operation. The approved press release should also be sent to the SafeTREC.
4. Grantee should use NHTSA's DUI tagline, "Drive Sober or Get Pulled Over" and use OTS's tagline "Report Drunk Drivers. Call 911" on all news releases and checkpoint publication materials.
5. Grantee should issue to the media a post-operational news release reporting the results of the checkpoint (media communications reporting the results of checkpoints do not need to be pre-approved by OTS). Any DUI Drug-impaired arrests made as the result of the checkpoint operation should be incorporated into the post-operational media release.
6. Grantee should submit to the SafeTREC copies of all newspaper articles and short descriptions of broadcast news stories which relate to checkpoint operations or results.

METHOD OF PROCEDURE**Phase I: Program Preparation (December 1, 2011 – December 15, 2011)**

1. Review the contract to ensure compliance with contract provisions.
2. Submit a signed contract to the SafeTREC.
3. Notify the SafeTREC of any changes in contact information. The contract and the purchase order (and Fact Blasts) are emailed to the contact person listed in the agency application.
4. Attend OTS-sponsored "DUI Checkpoints – Planning and Management" eight-hour, POST-certified training by December 31, 2011.
5. Plan checkpoint staffing, i.e., supervisors, officers, clerical staff, or community service officers as needed to staff each sobriety checkpoint on an overtime basis.
6. Send a written request to the SafeTREC to seek approval of any changes to mini-grant funded work or deliverables.
7. Order all grant approved checkpoint supplies.

Schedule A - Description (continued)
Sobriety Checkpoint Mini-Grant Program for 2011-2012

Phase II: Mobilization (12/16/11– 01/01/12 and 08/17/12 – 09/03/12)

8. After the statewide kick-off press event in December, issue a press release announcing the kick-off of this grant using the OTS kick-off press release template provided by SafeTREC.
9. If an AVOID media campaign is active in the county, notify the AVOID Coordinator of checkpoint locations, dates and times at least fourteen (14) days in advance of all planned checkpoints. The AVOID Coordinator will issue press releases including checkpoints conducted during the mobilization periods to all major media outlets in the region.
10. For each checkpoint operation, distribute a separate press release to local community papers using the OTS template provided by SafeTREC unless multiple checkpoints are to be conducted within a seven (7) day period, in which case one press release covering the seven (7) day period, that covers all operations will suffice. When using the OTS press release template provided by SafeTREC, forward press releases, media advisories, alerts and other press materials to SafeTREC concurrently with distribution to the media. If any other press release format or copy is used, it is required to submit the press release to the OTS Public Information Officer at pio@ots.ca.gov for his review. Optimum lead-time would be 10 – 20 days prior to the operation. The approved press release should also be sent to the SafeTREC.
11. Use NHTSA's DUI tagline, "Drive Sober or Get Pulled Over" and use OTS's tagline "Report Drunk Drivers. Call 911" on all news releases and checkpoint publication materials.
12. Submit to the SafeTREC copies of all newspaper articles and short descriptions of broadcast news stories which relate to checkpoint operations or results.
13. Conduct roll call training. Roll call training costs are not reimbursable; they must be borne by the agency.
14. Deploy designated staff to the checkpoint locations.
15. Begin the checkpoint no earlier than 1800 hours and if possible and practicable, operate the Checkpoint until 0300 hours.
16. Conduct the last checkpoint no later than September 03, 2012.

Phase III: Post Operational Data Reporting (at the end of each mobilization period and each applicable calendar quarter)

17. Submit post-operational data on-line for checkpoints conducted during the Winter Holiday and Labor Day mobilizations. Submit data by the SafeTREC deadlines.
18. Submit post-operational data on-line for checkpoints conducted outside the mobilization periods. Submit the data by the end of the applicable quarter. If multiple checkpoints are conducted during the quarter, summarize (total) the checkpoint statistics.
19. Issue to the media a post-operational news release reporting the results of the checkpoint (media communications reporting the results of checkpoints do not need to be pre-approved by OTS). Any DUI Drug impaired arrests made as the result of the checkpoint operation should be incorporated into the post-operational media release.

Phase IV: Claim Submission (at the end of the applicable calendar quarter)

20. Compile actual overtime and checkpoint supply costs incurred for operating the grant-funded checkpoints.
21. Download the claim form from the SafeTREC web site at:
http://www.safetrec.berkeley.edu/checkpointminigrants/2011_2012checkpoint.html
22. Complete the claim form for the applicable quarter in accordance with Schedule B – Detailed Budget Estimate and Schedule B-1 – Budget Narrative.
23. Mail the claim forms for the quarter, the personnel overtime slips, ledger report and invoice(s) for checkpoint supplies to the SafeTREC following the end of the applicable calendar quarter.

**Schedule B - Detailed Budget Estimate
Sobriety Checkpoint Mini-Grant Program for 2011-2012**

The Los Angeles, City of will conduct a total of 52 sobriety checkpoints in Los Angeles as described in Table B below.

Table B

	Number of Checkpoints	Maximum Allowed Cost Per Checkpoint	Total Cost
Winter Holiday Mobilization, December 16, 2011 – January 01, 2012 (minimum one checkpoint)	8	\$13,480.00	\$107,840.00
Labor Holiday Mobilization, August 17, 2012 – September 03, 2012 (minimum one checkpoint)	8	\$13,480.00	\$107,840.00
Number of checkpoints outside the mobilization periods	36	\$13,480.00	\$485,280.00
Total Number of Checkpoints	52	Maximum Reimbursable Amount for Checkpoints	\$700,960.00

The maximum allowed cost per checkpoint includes overtime benefits. Only actual benefits accrued from overtime hours will be covered (i.e., retirement, medical/dental/vision insurance, uniform allowances will not be covered). Allowable benefits include: Social Security (OASDI), Workers Compensation, Medicare, State-run disability, and unemployment insurance.

Maximum Reimbursable Amount for Checkpoint Supplies	\$48,960.00
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OTS-approved checkpoint supplies are reimbursable provided that the total cost of supplies, including tax and shipping, does not exceed the Maximum Reimbursable Amount for Checkpoint Supplies. Only OTS-approved supplies will be reimbursed. The prices of supplies will be reimbursed at unit costs not to exceed OTS-established unit costs.

Grant Total Amount (Maximum Reimbursable Amount for Checkpoints + Maximum Reimbursable Amount for Checkpoint Supplies)	\$749,920.00
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Schedule B-1 - Budget Narrative
Sobriety Checkpoint Mini-Grant Program for 2011-2012

Los Angeles, City of will be reimbursed for overtime personnel costs and checkpoint supplies to conduct the checkpoints.

Overtime reimbursement will reflect actual costs (overtime hourly rate and overtime benefit rates) of the personnel conducting the appropriate operation(s) up to the amount of the maximum reimbursable cost per checkpoint and the grant total stated in Schedule B- Detailed Budget Estimate. Checkpoint supplies are reimbursable up to the amount listed in and in accordance with Schedule B-Detailed Budget Estimate. Indirect costs are not reimbursable.

Only actual benefits accrued from overtime hours would be covered (i.e., retirement, medical/dental/vision insurance, uniform allowances will not be covered). Allowable benefits include: Social Security (OASDI), Workers Compensation, Medicare, State-run disability, and unemployment insurance.

Budgeted grant activities will be conducted by personnel on an overtime basis. The mini-grant covers only the costs of police department personnel. Mini-grants do not cover contractual services (with the exception of contract cities). Grant-funded operations may be conducted by personnel such as an officer, sergeant, corporal, deputy, community service officer, dispatcher, clerical/administrative, etc. depending on the titles used by the agency. Personnel will be deployed as needed to accomplish the grant goals and objectives. Administrative/clerical personnel are allowable only if they worked on the checkpoint operation, e.g., to process the larger than normal volume of citations, towing records, and arrest/incident reports. These reports must be a result of the operation and required to be processed quickly for distribution to the courts and the District Attorney's Office, or to meet statutory time limits. Clerical overtime incurred before the checkpoint or more than one business day after the last day of the checkpoint is not allowable. Costs for preparing claims are not reimbursable.

OTS-approved checkpoint supplies (cones, signage, vests, PAS devices/supplies and lighting equipment) are reimbursable provided that the total cost of supplies, including tax and shipping, does not exceed the awarded amount specified in Schedule B. The prices of supplies will be reimbursed at unit costs not to exceed OTS-established unit costs.

Reimbursements are contingent upon the following (exceptions must be approved by the SafeTREC):

- i. The applicable post-operational data have been submitted using the SafeTREC's on-line reporting system.
- ii. A press release for each checkpoint has been submitted (if multiple checkpoints are conducted within a seven-day period, a press release for the seven-day period has been submitted).
- iii. The claim form is correctly filled out, using the SafeTREC Excel-based form.
- iv. The claim amounts do not exceed the limits set forth in *Schedule B -Detailed Budget Estimate*.
- v. The information in the overtime slips and the ledger report are consistent and fully support the claim.
- vi. A ledger report(s) supporting the claim amount is attached to the claim. Only source documents are accepted to support the claim amount. Explanatory documentation such as spreadsheets may be submitted to provide additional information but cannot be accepted in lieu of a ledger report(s).
- vii. *Contract cities only.* A contract city must also provide the sheriff's department's invoice to the contract city for the checkpoint overtime costs described in the contract city's claim. The invoice (or an attachment to the invoice) must contain the contract rates that are the basis for the sheriff's department's invoiced amount. The contract city must provide a ledger report showing payment of the invoice amount. If a sheriff's department or police department is administering the mini-grant for a contract city, then that administering agency must provide the ledger report only.
- viii. An invoice(s) for the amount of checkpoint supplies is attached to the claim. The invoice must contain a sufficient description of the purchased item(s), quantity, and unit cost.
- ix. The claim is signed by the Authorizing Official (Box B of the grant cover page) or Individuals Authorized to Sign Claims (Box D) as designated in the grant cover page.
- x. Changes in the Authorizing Official of the Applicant Agency or the designation of any other additional individual(s) to sign claims are documented in accordance with SafeTREC documentation requirements.
- xi. The final claim is submitted no later than October 15, 2012.

**Schedule C - Terms and Conditions
Sobriety Checkpoint Mini-Grant Program for 2011-2012**

A. INDEMNIFICATION

Applicant Agency agrees to indemnify, defend, and save harmless the State of California, its officers, agents, and employees, the Regents of the University of California, its officers, agents, and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm, or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this contract, and from any and all claims and losses accruing or resulting to any person, firm, or corporation who may be injured or damaged by Applicant Agency in the performance of this contract.

B. GOVERNING LAW

This contract shall be governed by and construed in accordance with the laws of the State of California.

C. NON-ASSIGNABILITY

The obligations of the applicant agency under this contract are not assignable to any third party.

D. USE OF UNIVERSITY NAME/TRADEMARKS

Applicant Agency shall not use the name of the University of California, or any abbreviation thereof, or any name of which "University of California" is a part, or any trademarks of the University, in any commercial context, such as may appear on products, in media (including web sites) and print advertisements in cases when such use may imply an endorsement or sponsorship of the Applicant Agency, its products, or services. All uses of the University's name and trademarks, therefore, must first receive prior written consent of The Regents of the University of California through the Office of Marketing & Business Outreach. This policy is in compliance with the State of California Education Code Section 92000.

E. TERMINATION

Each party has the right to suspend, terminate or abandon the execution of any work by the Applicant Agency without cause at any time upon giving prior written notice. In the event that this contract is suspended, terminated, or abandoned, the Regents of the University of California shall pay the Applicant Agency for services provided hereunder prior to the effective date of said suspension, termination, or abandonment. Said payment shall be computed in accordance with Schedules B and B-1, provided that the maximum amount payable to the Applicant Agency for its services shall not exceed the Grant Total on Schedule B for services provided hereunder prior to the effective date of suspension, termination, or abandonment.

F. STATE OF CALIFORNIA TERMS, CONDITIONS, AND CERTIFICATIONS

Applicant Agency agrees to abide by the General Terms, Conditions, and Certifications contained in OTS Grant Program Manual, Chapter 6, Exhibit 6-A www.ots.ca.gov.