Agenda Item No. 38B-4

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: Oc	tober 19, 2010	[x]	Consent]]	Regular
Department:		[]	Ordinance	[]	Public Hearing
Submitted By: Submitted For:			Sheriff's Office Sheriff's Office			

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: (A) Accept on behalf of the Palm Beach County Sheriff's Office a Department of Justice Office of Justice Programs Smart FY2010 Comprehensive Approaches to Sex Offender Management Grant award in the amount of \$150,000 for the period of October 1, 2010 through September 30, 2012; (B) Approve a budget amendment of \$150,000 in the Sheriff's Grants fund.

Summary: On September 1, 2010 the Palm Beach County Sheriff's Office (PBSO) received an award to implement the Palm Beach County Sex Offender Management Strategy. The purpose of the strategy is to provide for greater offender accountability; while improving community safety, and support of the successful re-integration of sexual offenders into the community. Funding provided will be used for equipment, supplies, contractual services, and to pay overtime associated with the strategy. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. <u>Countywide. (DW)</u>

Background and Justification: The Smart FY2010 Comprehensive Approaches to Sex Offender Management Grants Program, administered by the Office of Justice Programs, furthers the Department's mission by assisting state, and local jurisdictions in establishing comprehensive strategies to manage sex offenders under community supervision. The Department of Justice Office of Justice Programs Catalog of Federal Domestic Assistance (CFDA) Number for this program is 16.203 and the contract number is 2010-WP-BX-0006.

Attachments:

1. Budget Ame 2. Award Lette	endment r	
RECOMMENDED BY		10-1-10
APPROVED BY:	DEPARTMENT DIRECTOR	DATE 10/14/10
	ASSISTANT COUNTY ADMINISTRATOR	DATE

A.	Five	Year	Summary o	f Fiscal	Impact:
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Fiscal Years Capital Expenditures Operating Costs	2011 \$35,200 \$114,800	2012	2013	2014	2015		
External Revenues Program Income (County) In-Kind Match (County)	(\$150,000)						
Net Fiscal Impact	0						
# Additional FTE Positions (Cumulative)	0						
Is Item Included in Current Budget: YES NOX							
Budget Account No.: Fund _	1152 Agency	Org	2191	Object3129	<u></u>		
R	eporting Category	/					

B. Recommended Sources of Funds / Summary of Fiscal Impact:

The Palm Beach County Sex Offender Management Strategy is funded by the Department of Justice Office of Justice Programs, Smart FY2010 Comprehensive Approaches to Sex Offender Management Grants Program. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required

Palm Beach County Sex Offender Management Strategy Total Program Budget

<u>\$150,000</u> \$150,000

III REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

3/1/0 Contract Administrat

B. Legal Suffigiency:

Assistant Co nty Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

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OFMB Department - Posted

BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY, FLORIDA BUDGET AMENDMENT

Page 1 of 1 BGRV 10061*5 BGEX 10061*76

FUND 1152 - Sheriff's Grants Fund

Use this form to provide budget for items not anticipated in the budget.

ACCT.NUMBER Revenues	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED	REMAINING BALANCE
<u>Palm Beach County Se</u> 160-2191-3129	<u>x Offender Management Strategy</u> Federal Grant - Other Public Safety	0	0	150,000		150,000		
	TOTAL REVENUES	0	\$639,716	\$150,000	\$0	\$789,716		
<u>Expenditures</u> <u>Palm Beach County Sex</u> 160-2191-9498	<u>x Offender Management Strategy</u> Transfer to Sheriff's Grant Fund	0	0	150,000		150,000		35
	TOTAL EXPENDITURES	0	\$639,716	\$150,000	\$0	\$789,716		t) (3)
Palm Beach County She	eriff's Office	Signatures		Date				unty Commissioners October 19, 2010
INITIATING DEPARTM		N	\langle	10-1-10	mogino	5		



Department of Justice Office of Justice Programs Office for Civil Rights Washington, D.C. 20531

September 1, 2010

Sheriff Ric Bradshaw Palm Beach County Sheriff's Office 3228 Gun Club Road West Palm Beach, FL 33406-4700

Dear Sheriff Bradshaw:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and Department funding.

Ensuring Access to Federally Assisted Programs

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at http://www.lep.gov.

Ensuring Equal Treatment for Faith-Based Organizations

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see OCR's

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

Questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment may be directed to this Office.

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Attachment #

Enforcing Civil Rights Laws

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

Complying with the Safe Streets Act or Program Requirements

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. § 3789d(c), or other Federal grant program requirements, must meet two additional requirements:(1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEOP), 28 C.F.R. § 42.301-.308, and (2) submitting to OCR Findings of Discrimination (see 28

1) Meeting the EEOP Requirement

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEOP reporting requirements:

If your organization has received an award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEOP and submit it to OCR for review within 60 days from the date of this letter. For assistance in developing an EEOP, please consult OCR's website at http://www.ojp.usdoj.gov/ocr/eeop.htm. You may also request technical assistance from an EEOP specialist at OCR by dialing (202) 616-3208.

If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEOP, but it does not have to submit the EEOP to OCR for review. Instead, your organization has to maintain the EEOP on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at http://www.ojp.usdoj.gov/ocr/eeop.htm.

If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEOP requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at http://www.ojp.usdoj.gov/ocr/eeop.htm.

2) Submitting Findings of Discrimination

In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

Ensuring the Compliance of Subrecipients

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEOP, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307-0690 or visit our website at http://www.ojp.usdoj.gov/ocr/.

Sincerely,

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Michael L. Alston Director

cc: Grant Manager Financial Analyst

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Department of Justice Office of Justice Programs Office of the Chief Financial Officer

Washington, D.C. 20531

September 1, 2010

Sheriff Ric Bradshaw Palm Beach County Sheriff's Office 3228 Gun Club Road West Palm Beach, FL 33406 - 4700

Reference Grant Number: 2010-WP-BX-0006

Dear Sheriff Bradshaw:

I am pleased to inform you that my office has approved the following budget categories for the aforementioned grant award in the cost categories identified below:

Category	Budget
Personnel	\$27,000
Fringe Benefits	\$7,713
Travel	\$8,888
Equipment	\$35,200
Supplies	\$8,199
Construction	\$0
Contractual	\$63,000
Other	\$0
Total Direct Cost	\$150,000
Indirect Cost	\$0
Total Project Cost	\$150,000
Federal Funds Approved:	\$150,000
Non-Federal Share:	\$0
Program Income:	\$0

Match is not required for this grant program.

All individual consultant fees in excess of \$450 per 8 hour day require prior approval of OJP.

If you have questions regarding this award, please contact:

- Program Questions, Jacqueline O'Reilly, Program Manager at (202) 514-5024
- Financial Questions, the Office of Chief Financial Officer, Customer Service Center(CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

Leigh Benda

Leigh Benda Acting Chief Financial Officer

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Department of Justice Office of Justice Programs Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking Office	Grant	PAGE 1 OF 3
1. RECIPIENT NAME AND ADDRESS (Including Zip Code)	4. AWARD NUMBER: 2010-WP-BX-0006	
Palm Beach County Sheriff's Office 3228 Gun Club Road West Palm Beach, FL 33406-4700	5. PROJECT PERIOD: FROM 10/01/20 BUDGET PERIOD: FROM 10/01/20	
	6. AWARD DATE 09/01/2010	7. ACTION
IA. GRANTEE IRS/VENDOR NO. 596001785	8. SUPPLEMENT NUMBER 00	Initial
	9. PREVIOUS AWARD AMOUNT	\$0
3. PROJECT TITLE Palm Beach County Sex Offender Management Strategy	10. AMOUNT OF THIS AWARD	\$ 150,000
	11. TOTAL AWARD	\$ 150,000
12. SPECIAL CONDITIONS		
This project is supported under FY10 (SMART - CASOM) 42 USC 13941		
15. METHOD OF PAYMENT GPRS		
AGENCY APPROVAL	GRANTEE ACCEP	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL	18. TYPED NAME AND TITLE OF AUTHORI	ZED GRANTEE OFFICIAL
Laurie Robinson Assistant Attorney General	Ric Bradshaw Sheriff	
17. SIGNATURE OF APPROVING OFFICIAL	19. SIGNATURE OF AUTFORTED RECIPIEN	NT OFFICIAL 19A. DATE
	Y USE ONLY	
20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT	21. JW6BGT0044	
X B W6 22 00 00 150000		

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)

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PROJECT N	JMBER	2010-WP-BX-0006	AWARD DATE	09/01/2010		
			CONDITIONS			
1.	The re Office	cipient agrees to comply with the financia of Justice Programs (OJP) Financial Guid	ıl and administrati ie.	ive requirements set f	forth in the	current edition of the
2.	violati	cipient acknowledges that failure to subm ed to submit one pursuant to 28 C.F.R. Se on of its Certified Assurances and may re- ent is in compliance.	CHON 4/ 30/1 the	tic annrowed but the /	766 - 6 /	
3.	other r any oth	cipient agrees to comply with the organizz Governments, and Non-Profit Organizatio elated requirements may be imposed, if or her audits of OJP grant funds) are not satis a of the OJP Financial Guide, Chapter 19.	utstanding audit is	iderstands and agrees	that funds	may be withheld, or
4.		ent understands and agrees that it cannot u nent, repeal, modification or adoption of a s prior written approval of OJP.	use any federal fu ny law, regulation	nds, either directly or n or policy, at any lev	r indirectly vel of gove	, in support of the emment, without the
5.	Act; or similar	cipient must promptly refer to the DOJ OJ ntee, subcontractor, or other person has ei 2) committed a criminal or civil violation misconduct involving grant funds. This or misconduct should be reported to the O	n of laws pertainin condition also any	a false claim for gran	nt funds un	der the False Claims
	U.S. 1 Inves 950 P Room Wash e-mail: hotline	e of the Inspector General Department of Justice tigations Division Pennsylvania Avenue, N.W. 14706 ington, DC 20530 : oig.hotline@usdoj.gov :: (contact information in English and Span ine fax: (202) 616-9881	nish): (800) 869-4	1499		
	Additio	onal information is available from the DO	J OIG website at	www.usdoj.gov/oig.		
6.		ent understands and agrees that it cannot u at or subaward to either the Association of aries, without the express prior written ap		nds, either directly or anizations for Reform	indirectly, n Now (AC	, in support of any CORN) or its
7.	The rec period	cipient agrees to comply with any addition if the agency determines that the recipient	al requirements t t is a high-risk gra	hat may be imposed of antee. Cf. 28 C.F.R. p	during the parts 66, 70	grant performance

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OJP FORM 4000/2 (REV. 4-88)

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C		Department of Justice Office of Justice Programs Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking Office	AWARD CONTINUATI SHEET Grant	ON	PAGE 3 OF 3		
PROJECT N	UMBER	2010-WP-BX-0006	AWARD DATE 09/01/2010				
8.	COLLEGE CON	SPECIAL ntracts under this award should be competent ct amount exceeds \$100,000 and there has overning sole source procurement found	S Deep no competition for the award of	L			
9.	Jaouric	val of this award does not indicate approved ation must be submitted to and approved tion or expenditure of such funds.	ral of any consultant rate in excess of s by the Office of Justice Programs (OJ	\$450 per day IP) program	y. A detailed office prior to		
10.	www.v	cipient agrees that it will submit quarterly the SF 425 Federal Financial Report form whitehouse.gov/omb/grants/standard_form r. The final report shall be submitted not	(available for viewing at				
11.	federal for tha compe	espect to this award, federal funds may no yee of the award recipient at a rate that ex government's Senior Executive Service (t year. (An award recipient may compens nsation limitation is paid with non-federal mitation on compensation rates allowable	SES) at an agency with a Certified SE sate an employee at a higher rate, prov l funds.)	alary payab S Performa rided the am	le to a member of the nce Appraisal System ount in excess of this		
	discret	ion of the OJP official indicated in the pro-	ogram announcement under which this	n individual s award is m	basis at the ade.		
12.		cipient shall submit semiannual progress r reporting periods, which are June 30 and 1 Office of Justice Programs, on-line throug			n 30 days after the end orts will be submitted		
13.	13. The recipient agrees to submit a final report at the end of this award documenting all relevant project activities during the entire period of support under this award. This report will include detailed information about the project(s) funded, including, but not limited to, information about how the funds were actually used for each purpose area, data to support statements of progress, and data concerning individual results and outcomes of funded projects reflecting project successes and impacts. The final report is due no later than 90 days following the close of this award period or the expiration of any extension periods. This report will be submitted to the Office of Justice Programs, on-line through the Internet at https://grants.ojp.usdoj.gov/.						
14.	perform	ure compliance with the Government Peri nt recipient to collect and report data that nance measures can be found at http://www e included as part of the grantee's categori	ineasures the results of the program in	mplemented	with this grant. The		
15.	bannin grant, a	nt to Executive Order 13513, "Federal Le (October 1, 2009), the Department encour g employees from text messaging while d and to establish workplace safety policies a caused by distracted drivers.	riving any vehicle during the	idopt and en	force policies		

OJP FORM 4000/2 (REV. 4-88)

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Department of Justice

Office of Justice Programs

Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking Office

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Dawn Doran, Deputy Director

Subject: Categorical Exclusion for Palm Beach County Sheriff's Office

The recipient agrees to assist SMART to comply with the National Environmental Policy Act (NEPA) and other related federal environmental impact analyses requirements in the use of these grant funds either directly by the recipient or by a subrecipient. Accordingly, prior to obligating grant funds, the grantee agrees to first determine if any of the following activities will be related to the use of the grant funds and, if so, to advise SMART and request further NEPA implementation guidance. Recipient understands that this special condition applies to its activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are: a). new construction; b). minor renovation or remodeling of a property either: (1) listed on or eligible for listing on the National Register of Historic Places or; (2) located within a 100-year flood plain; c). a renovation, lease, or any other proposed use of a building or facility that will either; (1) result in a change in its basic prior use or; (2) significantly changes its size and; d). implementation of a new program involving the use of chemicals other than chemicals that are: (1) purchased as an incidental component of a funded activity and; (2) traditionally used, for example, in office, household, recreational, or education environments.

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G	Department of Justice Office of Justice Programs Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking Office	GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY Grant			
- Contraction		PROJECT NUMBER			
		2010-WP-BX-0006	PAGE 1 OF 1		
This project is supported	d under FY10 (SMART - CASOM) 42 USC 13941				
1. STAFF CONTACT (Name & telephone number)	2 PROJECT DIRECTOR Olema adda			
Jacqueline O'Reilly (202) 514-5024		 PROJECT DIRECTOR (Name, address & telephone number) Gena Rowlands Senior Planner 3228 Gun Club Road West Palm Beach, FL 33406-3001 (561) 688-3096 			
3a. TITLE OF THE PRO	OGRAM	21.			
3b. POMS CODE (SEE INST SMART FY 10 Comprehensive Approaches to Sex Offender Management Grant Program ON REVERSE)					
	Sex Offender Management Strategy				
5. NAME & ADDRESS Palm Beach County 3228 Gun Club Roa West Palm Beach, F	Sheriff's Office d	6. NAME & ADRESS OF SUBGRANT	TEE		
7. PROGRAM PERIOD	9				
	0/01/2010 TO: 09/30/2012	8. BUDGET PERIOD FROM: 10/01/2010			
		FROM: 10/01/2010	TO: 09/30/2012		
9. AMOUNT OF AWA	RD	10. DATE OF AWARD			
\$ 150,000		09/01/2010			
11. SECOND YEAR'S	BUDGET	12 SECOND VEADIO DUD OPT 4440			
		12. SECOND YEAR'S BUDGET AMO	UNT		
13. THIRD YEAR'S BU	IDGET PERIOD	14. THIRD YEAR'S BUDGET AMOUT	NT		
15. SUMMARY DESCI	RIPTION OF PROJECT (See instruction on reverse)				
The Comprehensive A territories), local and Grant Program is sup Comprehensive Appr	Approaches to Sex Offender Management (CASOM) G tribal jurisdictions in establishing comprehensive strate porting projects in the following two areas: (1) Part A s oach model of managing sex offenders in tribal commu nder management systems.	gies to manage sex orienders under commu	nity supervision. In FY 2010, the CASOM		

The Palm Beach County Sheriff's Office is requesting grant funds to implement a research based sex offender management strategy which will provide for greater offender accountability while improving community safety and support of the successful re-integration of sexual offenders into Palm Beach's communities. The Palm Beach County Sheriff's Office Sexual Predator Offender Tracking (SPOT) Unit will be coordinating this project. The first goal of the project is to conduct risk OJP FORM 4000/2 (REV. 4-88)

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assessment on all registered sex offenders and predators to maximize available resources and manage that population more effectively by training personnel on the administration and application of the Static 99 instrument which will categorize registered adult sex offenders based on their level of risk. The second goal will be to classify offenders based on their risk to appropriate services based on their individualized supervision by purchasing GPS technology to monitor high risk offenders and by referring offenders to appropriate services based on their individualized supervision plan. The third goal will be to ensure compliance with sex offender registration and community notification requirements by training additional law enforcement on sex offender registration laws as well as by conducting public awareness and determining their basic on their needs based on their risk assessment and individualized plan. Finally, the PBCSO_{LS} fifth goal will be to enhance collaboration among other stakeholders and professionals across disciplines by creating a multidisciplinary team that includes the SPOT Unit, Dr. Levenson, re-entry program staff, victim_{LS} advocates, and sex offender treatment professionals who will meet quarterly to develop program strategies as well as discuss improvements to overall success of the program.

This grant is funded under Part B of the FY 2010 CASOM Grant Program. ca/ncf

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