

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: January 23, 2024 Consent Regular
 Ordinance Public Hearing

Department:
 Submitted By: Palm Beach County Sheriff's Office
 Submitted For: Palm Beach County 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 Bureau of Justice Assistance (BJA) State Criminal Alien Assistance Program FY 2023 Grant in the amount of \$58,870 for the period of November 21, 2023 through the date all funds have been spent; and **(B) Approve** a Budget Amendment of \$58,870 increasing the Sheriff's Grants Fund.

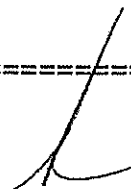
Summary: The Bureau of Justice Assistance (BJA) has made funds available to be used for correctional purposes. These funds will be used in accordance with the Department of Justice Reauthorization Act of 2005. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance (CFDA) number is 16.606 and the contract number is 15PBJA-23-RR-05603-SCAA. Countywide (RS)


Background and Justification: The Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice, in conjunction with the U.S. Department of Homeland Security (DHS) provides federal funding to states and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens who have at least one felony or two misdemeanor convictions for violations of state or local law, and who are incarcerated for at least 4 consecutive days during the reporting period. This program has assisted states and localities which have requested assistance in defraying the cost incurred for the imprisonment of undocumented criminal aliens, resulting in more than \$4 billion in funds being distributed to over 660 unique jurisdictions in the last 10 years.

Attachments:

1. Budget Amendment
2. Award Documents

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RECOMMENDED BY:  12/20/23
 DEPARTMENT DIRECTOR DATE

APPROVED BY:  1/12/23
 COUNTY ADMINISTRATOR DATE

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures	58,870				
Operating Costs	0				
External Revenues	(58,070)				
Program Income (County)					
In-Kind Match (County)	0				
Net Fiscal Impact	0				
# Additional FTE Positions (Cumulative)	0				

Is Item Included in Current Budget: YES _____ NO X

Budget Account No.: Fund 1152 Agency 160 Org 2464 Object 3129

Reporting Category _____

Does this item include the use of federal funds: Yes X No _____

Does this item include the use of state funds: Yes _____ No X

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

The State Criminal Alien Assistance Program FY 2023 Grant is funded through the Bureau of Justice Assistance. There is no match requirement associated with this award.

State Criminal Alien Assistance Program FY 2023 Grant	<u>\$58,870</u>
Total Program Budget	<u>\$58,870</u>

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

Lisa M. Menta 1/18/2024
 MG 1/5 OFMB GA 15127
 1/18/24

Stacy M. Arini 1/18/24
 Contract Administration

B. Legal Sufficiency:

[Signature] 1/18/24
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

24-0301

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT

Page 1 of 1

BOEX 122723*662
BORV 122723*200

FUND 1152 - Sheriff's Grants Fund

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

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED	REMAINING BALANCE
Revenues								
State Criminal Alien Assistance Program FY23								
160-2464-3129	Federal Grant - Other Public Safety	0	0	58,870	0	58,870		
TOTAL REVENUES		11,523,997	\$14,665,975	\$58,870	\$0	14,724,845		
Expenditures								
State Criminal Alien Assistance Program FY23								
160-2464-9498	Transfer to Sheriff's Fund 1902	0	0	58,870	0	58,870		
TOTAL EXPENDITURES		11,523,997	\$14,665,975	\$58,870	\$0	14,724,845		

Palm Beach County Sheriff's Office

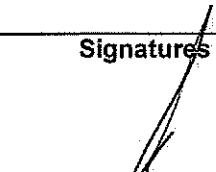
INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval

OFMB Department - Posted

Signatures

Date



 Lisa M. [unclear]

12/20/23
 1/2/2024

By Board of County Commissioners
At Meeting of January 23, 2024

Deputy Clerk to the
Board of County Commissioners



Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Name and Address of Recipient:	COUNTY OF PALM BEACH 3228 GUN CLUB RD
City, State and Zip:	WEST PALM BEACH, FL 33406
Recipient UEI:	UZA2MELMDZZ1
Project Title: Palm Beach County Sheriff's Office SCAAP Application FY2023	Award Number: 15PBJA-23-RR-05603-SCAA
Solicitation Title: BJA FY 23 State Criminal Alien Assistance Program	
Federal Award Amount: \$58,870.00	Federal Award Date: 11/21/23
Awarding Agency:	Office of Justice Programs Bureau of Justice Assistance
Funding Instrument Type:	Reimbursement
Opportunity Category: O	
Assistance Listing: 16.606 - State Criminal Alien Assistance Program	
Project Period Start Date: 7/1/21	Project Period End Date: 12/31/24
Budget Period Start Date: 7/1/21	Budget Period End Date: 12/31/24
Project Description:	

Award Letter

November 21, 2023

Dear Ric Bradshaw,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you that the Office of Justice Programs (OJP) has approved the application submitted by COUNTY OF PALM BEACH for a Payment Award (non-grant) under the funding opportunity entitled 2023 BJA FY 23 State Criminal Alien Assistance Program. The approved payment amount is \$58,870.

Review the award instrument below carefully and familiarize yourself with all requirements before accepting your payment award. The award instrument includes the payment award offer and award acceptance. In connection with this payment award, references to the term "award" should be understood as this payment award.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the award offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations on your payment award.

Maureen Henneberg
Deputy Assistant Attorney General

Award Information

This award is offered subject to the conditions or limitations set forth in the award instrument.

Recipient Information

Recipient Name
COUNTY OF PALM BEACH

UEI
UZA2MELMDZZ1

Street 1
3228 GUN CLUB RD

Street 2

City
WEST PALM BEACH

State/U.S. Territory
Florida

Zip/Postal Code
33406

Country
United States

County/Parish

Province

Award Details

Payment Award Date

11/21/23

Award Type

Initial

Award Number

15PBJA-23-RR-05603-SCAA

Supplement Number

00

Payment Award Amount

\$58,870.00

Funding Instrument Type

Reimbursement

**Assistance Listing
Number**

Assistance Listings Program Title

16.606

State Criminal Alien Assistance Program

Statutory Authority

8 U.S.C. 1231(i); Department of Justice Appropriations Act, 2023 (Pub. L. No. 117-328), 136 Stat. 4459, 4535

I have read and understand the information presented in this section of the award instrument.

Award Conditions

This award is offered subject to the conditions or limitations set forth in the award instrument.

1

In accepting this award, the recipient declares and certifies, among other things, that it has current information in the System for Award Management, as indicated in 2 C.F.R. Part 25.

2

In accepting this award, the recipient declares and certifies, among other things, that any payment made will be used only for "correctional purposes," as required by 8 U.S.C. § 1231(i)(6).

I have read and understand the information presented in this section of the award instrument.

SCAAP Certifications

Applicant Government and Submitting Government Official

On behalf of myself and the applicant government, and in support of this application to the SCAAP program, I certify to OJP, under penalty of perjury, that the information on the applicant government and the submitting government official entered above as part of this online application to the SCAAP program is true and correct to the best of my knowledge and belief, based upon diligent inquiry and review, and is provided in accordance with the requirements, definitions, and instructions set out in the "SCAAP Program Requirements and Application Instructions." I further certify that I have the legal authority to make this certification to OJP, including from the chief executive of the

applicant government.

I understand and acknowledge that OJP will rely upon this and all other certifications in this online application as material representations in any decision to make a SCAAP payment to the applicant government in response to this application.

I understand and acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant "State" or "unit of local government" to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also understand and acknowledge that payments under OJP programs such as SCAAP, including certifications provided in connections with such payments, are subject to review by DOJ, including by OJP and the DOJ's Office of the Inspector General.

Information on "Eligible Inmates"

On behalf of myself and the applicant government, and in support of this application to the SCAAP program, I certify to OJP, under penalty of perjury, that the information on "eligible inmates" entered or uploaded as part of this online application to the SCAAP program (1) was determined and is reported here using due diligence, and in accordance with the requirements, definitions, and instructions set out in the SCAAP Program Requirements and Application Instructions," and (2) is true and correct to the best of my knowledge and belief, based upon diligent inquiry and review. I further certify that I have the legal authority to make this certification to OJP, including from the chief executive of the applicant government.

I understand and acknowledge that OJP will rely upon this certification as a material representation in making any SCAAP payment to the applicant government in response to this application and that this certification is subject to review by DOJ. I also understand that, if this certification is false or otherwise inaccurate or misleading (including because of omission of a material fact), both I and the applicant government may be subject to criminal prosecution, civil penalties, and/or administrative remedies, including as described in the certification in this online application as to the "Applicant Government and Submitting Government Official."

Information on "Correctional Officers" and "Facilities"

On behalf of myself and the applicant government, and in support of this application to the SCAAP program, I certify to OJP, under penalty of perjury, that the information on "correctional officers" and "correctional facilities" entered or uploaded as part of this online application to the SCAAP program (1) was determined and is reported here using due diligence, and in accordance with the requirements, definitions, and instructions set out in the "SCAAP Program Requirements and Application Instructions" and (2) is true and correct to the best of my knowledge and belief, based upon diligent inquiry and review. I further certify that I have the legal authority to make this certification to OJP, including from the chief executive of the applicant government.

I understand and acknowledge that OJP will rely upon this certification as a material representation in making any SCAAP payment to the applicant government in response to this application, and that this certification is subject to review by DOJ. I also understand that, if this certification is false or otherwise inaccurate or misleading (including because of omission of a material fact), both I and the applicant government may be subject to criminal prosecution, civil penalties, and/or administrative remedies, including as described in the certification in this online application as to the "Applicant Government and Submitting Government Official."

I have read and understand the information presented in this section of the award instrument.

SCAAP Use Of Funds

In accepting this award, the recipient declares and certifies, among other things, that any payment made will be used only for "correctional purposes," as required by 8 U.S.C. § 1231(i)(6). Please select at least one of the options below to indicate that payment will be used for one of the following allowable "correctional purposes."

Salaries for corrections officers

Overtime costs
Corrections work force
recruitment and retention
Construction of corrections
facilities
Training/education for offenders
Training for corrections officers
related to offender population
management
Consultants involved with
offender population
Medical and mental health
services
Vehicle rental/purchase for
transport of offenders
Prison industries

Pre-release/reentry programs
Technology involving offender
management/inter-agency
information sharing
Disaster preparedness
continuity of operations for
corrections facility

I have read and understand the information presented in this section of the award instrument.

Award Acceptance

Declaration and Certification to the U.S. Department of Justice as to Acceptance

By checking the declaration and certification box below, I--

- A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this declaration and certification on behalf of the applicant.
- B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant's legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.
- C. Accept this award on behalf of the applicant.
- D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand

that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

Agency Approval

Title of Approving Official Deputy Assistant Attorney General	Name of Approving Official Maureen Henneberg	Signed Date And Time 11/16/23 2:37 PM
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Authorized Representative

Declaration and Certification

Entity Acceptance

Title of Authorized Entity Official
Sheriff

Name of Authorized Entity Official
Ric Bradshaw

Signed Date And Time
11/29/2023 10:49 AM

