



# San Bernardino County

## Legislation Text

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**File #: 7410, Agenda Item #: 55**

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**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

**January 24, 2023**

**FROM**

**SHANNON D. DICUS, Sheriff/Coroner/Public Administrator**

**SUBJECT**

United States Department of Justice, Bureau of Justice Assistance, 2022 State Criminal Alien Assistance Program Application

**RECOMMENDATION(S)**

1. Approve application to the United States Department of Justice, Bureau of Justice Assistance 2022 State Criminal Alien Assistance Program for reimbursement of a portion of San Bernardino County's incurred costs to incarcerate undocumented criminal aliens between July 1, 2020 through June 30, 2021.
2. Authorize the Chief Executive Officer, Sheriff/Coroner/Public Administrator, or assigned Grant Administrator acting as the "submitting government official", as required by the United States Department of Justice, to file and electronically submit the application and any subsequent non-substantive amendments on behalf of San Bernardino County, subject to review by County Counsel.
3. Direct the Chief Executive Officer, Sheriff/Coroner/Public Administrator, or assigned Grant Administrator acting as the "submitting government official" to transmit all documents and amendments related to this application to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Kelly Welty, Chief Deputy Director, 387-0640)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The County was awarded \$998,724 for the 2021 State Criminal Alien Assistance Program (SCAAP), for a total amount awarded to date of \$17.3 million for the grant period of 2001 through 2021. The application for the 2022 program will request reimbursement for a portion of the detention costs incurred in 2020-21 relative to undocumented criminal aliens. Future awards will be included in the Sheriff/Coroner/Public Administrator (Department) Detention's budget unit in the fiscal year received and will be used for correctional purposes only, in accordance with program requirements.

**BACKGROUND INFORMATION**

The United States Department of Justice (DOJ), Bureau of Justice Assistance (BJA), makes SCAAP funds available nationwide. Funds are for reimbursement of a portion of the detention costs associated with the incarceration of undocumented criminal aliens who were in custody for four or more consecutive days and

convicted of a felony or second misdemeanor for the reporting period of July 1, 2020 through June 30, 2021. SCAAP does not fully reimburse actual costs; instead, the data received from all applicants is combined to determine each applicant's relative percentage of the total SCAAP allocation.

Filing for SCAAP reimbursement is an online process in which relevant inmate and facility cost data is entered. The program requires the filing to be completed by the Chief Executive Officer of the jurisdiction or be delegated to another jurisdictional official (assigned Grant Administrator) that has the necessary knowledge and information to complete and submit the entire application and certifications. The application period was announced on December 9, 2022, and applications must be submitted electronically by January 30, 2023.

The SCAAP grant application includes approval of certifications binding upon the County and up-front agreement to be bound by the conditions accompanying the federal grant funds. Consequently, County Policy 05-13 requires Board of Supervisors (Board) approval to submit this grant application or any related amendments. If awarded, the Department will return to the Board for approval to accept the grant funds in accordance with this same policy.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Richard D. Luczak, Deputy County Counsel, 387-5455) on December 21, 2022; Finance (Erika Rodarte Finance Analyst, 387-4919) on January 5, 2023; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on January 9, 2023.