



# San Bernardino County

## Legislation Text

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**File #: 7946, Agenda Item #: 50**

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

**May 9, 2023**

#### **FROM**

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

#### **SUBJECT**

United States Department of Justice, Bureau of Justice Assistance, 2023 State Criminal Alien Assistance Program Application

#### **RECOMMENDATION(S)**

1. Approve the United States Department of Justice, Bureau of Justice Assistance, 2023 State Criminal Alien Assistance Program application for reimbursement of a portion of San Bernardino County's incurred costs to incarcerate undocumented criminal aliens between July 1, 2021 through June 30, 2022.
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 2023 State Criminal Alien Assistance Program 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 application documents and amendments related to the 2023 State Criminal Alien Assistance Program to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Ernie Perez, Deputy Chief, 387-3760)

#### **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.**

**Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.**

#### **FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The 2023 State Criminal Alien Assistance Program (SCAAP) provides reimbursement for a portion of the detention costs incurred in 2021-22 relative to undocumented criminal aliens. The Sheriff/Coroner/Public Administrator (Department) will return to the Board of Supervisors (Board) for acceptance of the grant award and may request budget adjustments as part of the countywide mid-year budget report, if necessary. All funds received will be used in the Department's Detention 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, 2021 through June 30, 2022. 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, the assigned Grant Administrator, that has the necessary knowledge and information to complete and electronically submit the entire application and certifications. The application period was announced on March 29, 2023, and applications must be submitted electronically by May 24, 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 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 April 19, 2023; Finance (Erika Rodarte, Administrative Analyst, 387-4919) on April 24, 2023; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on April 24, 2023.