




MEMORANDUM

Date: December 26, 2018

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: **Review of Community Law Enforcement Partnership Commission (CLEPC) Role and Responsibility**

On September 4, 2018, the Board of Supervisors terminated the existing Operation Stonegarden Grant with the Federal Emergency Management Agency of the Department of Homeland Security. This effectively terminated the prime responsibility of the CLEPC; however, in the motion to terminate the grant, another function of the CLEPC was added.

Below is Supervisor Ramon Valadez's motion of regarding this matter:

...I move that we terminate the Stonegarden contract and that we edit the responsibilities of a previously established commission so that we change to three appointees by every board member and one of those appointees has to have extensive criminal justice system experience. That the Commission then go to the Clerk of the Board so that the Clerk of the Board treats it as normal Board and commission and that they review and recommend on all grant applications and grants that we receive through the Sheriff's Department (emphasis added)

Also, I have attached three memoranda to the Board regarding the CLEPC (September 6, September 26 and October 23). This information may be helpful as the Board of Supervisors, again, discusses the mission of the CLEPC on January 22, 2019 as this matter was continued from the Board of Supervisors Meeting of December 18, 2018.

CHH/anc

Attachments

c: Julie Castañeda, Clerk of the Board



MEMORANDUM

Date: September 6, 2018

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to be "CHH", is written over the printed name "C.H. Huckelberry".

Re: **Community Law Enforcement Partnership Commission**

At the September 4, 2018 Board of Supervisors Meeting, when the Board terminated the present Operation Stonegarden grants, continuation of a citizen committee was also referenced. The committee would operate with additional criminal justice system expertise to evaluate and recommend whether the County should enter into law enforcement related grants for the Sheriff to benefit public safety. The original Community Law Enforcement Partnership Commission (CLEPC) was formed as a condition of continuing the Operation Stonegarden grant and since termination, is no longer appropriate for the purpose originally formed.

The CLEPC will now transition to a broader role as defined by the Board in terminating the Operation Stonegarden grants. The primary responsibility of CLEPC will be to evaluate and recommend grants before Board acceptance of any law enforcement grant application of the Sheriff. Once an application has been approved and submitted, if a grant is received, the CLEPC will evaluate the effectiveness of a particular grant for public safety.

In addition, administration and management of the Commission will transfer from the Criminal Justice Reform Unit in my office to the Clerk of the Board.

Other County departments and agencies including, but not limited to, the Sheriff, the Grants Management and Innovation Department and the Criminal Justice Reform Unit will provide support and expertise on an as requested basis to the Commission.

The Board approved motion related to the Commission indicates there would be three appointments, one of which needs to have expertise in the criminal justice system. The Board should indicate if they desire their appointments to the original Commission to transfer to the new Commission. I will assume such is the intent of the motion. Each Board Member should also make an expert criminal justice system appointment, bringing the total membership of the CLEPC to 15 members. It is also assumed that the Sheriff or his designee will be an ex-officio member of the CLEPC.

The Honorable Chairman and Members, Pima County Board of Supervisors
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Please advise if the Board would like to modify or clarify this direction and interpretation regarding the Board's motion to create this newly transitioned Commission.

CHH/anc

c: The Honorable Mark Napier, Pima County Sheriff
Jan Leshner, Chief Deputy County Administrator
Wendy Petersen, Assistant County Administrator for Justice and Law Enforcement
Terrance Cheung, Director, Criminal Justice Reform Initiatives, Criminal Justice
Reform Unit
Julie Castañeda, Clerk of the Board
Regina Kelly, Director, Grants Management and Innovation Office



MEMORANDUM

Date: September 26, 2018

To: Julie Castañeda
Clerk of the Board of Supervisors

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to read "C.H. Huckelberry", is written over the printed name and title.

Re: **Community Law Enforcement Partnership Commission - Revised**

As you know, with the termination of the Operation Stonegarden (OPSG) Grant the function of the Community Law Enforcement Partnership Commission (CLEPC) to review OPSG activities of the Sheriff has been terminated.

At this meeting the Board of Supervisors also called for a new CLEPC to specifically review and make recommendation to them for any grant the Sheriff receives from State, Federal or other entities.

In addition, the Board added a member to the Commission to bring the membership to 15 individuals. Three members are appointed by each member of the Board, with the assumption the current appointments to the CLEPC would be transferred to this reconfigured Commission. The ex-officio appointments are no longer valid to CLEPC.

Operation of CLEPC should be quite simple. When a grant is received or applied for, or a notice of award has been made to the Sheriff, the grant is then directly forwarded to CLEPC. The Sheriff or his representative would explain the purpose of said grant at a meeting of CLEPC. CLEPC would then make a recommendation to the Board regarding award of the grant. The recommendation could be to accept, deny or make no recommendation. The grant would then, along with the statement of CLEPC be forwarded to the Board for their consideration and final grant acceptance, approval or disapproval.

To ensure there is timely review of Sheriff's Department grants, CLEPC will consider grants within 30 days of notice of a grant award approved by the Sheriff. If CLEPC takes no action or does not consider the grant within the specified timeframe, the grant should be deemed to have received the approval of CLEPC and is then forwarded to the Board for consideration.

I will ask staff to modify the description and purpose of CLEPC to reflect the revised purpose and scope of the Commission as now directed by the Board of Supervisors.

Ms. Castañeda

Re: **Community Law Enforcement Partnership Commission – Revised**

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Our Grants Management and Innovation Department and the Criminal Justice Reform Unit will act as technical advisors to the Commission regarding grants that would be under their consideration for a recommendation to the Board.

CHH/anc

- c: The Honorable Chairman and Members, Pima County Board of Supervisors
The Honorable Mark Napier, Pima County Sheriff
Wendy Petersen, Assistant County Administrator for Justice and Law Enforcement
Terrance Cheung, Director of Justice Reform Initiatives, Criminal Justice Reform Unit
Regina Kelley, Director, Grants Management and Innovation Department



MEMORANDUM

Date: October 23, 2018

To: Julie Castañeda
Clerk of the Board of Supervisors

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to read "CHH", is written over the printed name "C.H. Huckelberry".

Re: **Your October 16, 2018 Memorandum Regarding the Community Law Enforcement Partnership Commission Mission**

After review of your October 16, 2018 memorandum, I believe the following clarifications are appropriate:

- I agree with the analysis that the Community Law Enforcement Partnership Commission (CLEPC) should only begin after a grant has been awarded. To do otherwise would require the CLEPC to perform unnecessary work. The CLEPC should focus their attention on grants that have been awarded to the Sheriff's Department, subject to acceptance by the Board of Supervisors.
- A quorum of the CLEPC should be eight members present, since the membership is 15 members. Regarding the request to require a majority of the members who "have expertise in the criminal justice system" be in attendance to constitute a quorum is inappropriate. A quorum should simply be eight of the members attending a particular meeting regardless of their affiliation by Supervisor or expertise in the criminal justice system.
- All grants will go to the Board of Supervisors for their final review and decision. The CLEPC is simply a recommending body. They can recommend for, against or take no position.
- I would also recommend CLEPC's mission contain language that indicates that if the Commission has not acted on a grant that has been approved for award to the Sheriff's Department within 30 days, the grant is deemed approved and will be automatically forwarded to the Board of Supervisors with a recommendation for approval. I believe such a requirement is appropriate to avoid any unnecessary delays in considering grants received by the Sheriff's Department to the Board of Supervisors.

Ms. Julie Castañeda

Re: **Your October 16, 2018 Memorandum Regarding the Community Law Enforcement
Partnership Commission Mission**

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The Board of Supervisors has been copied on this memorandum as well as your October 16, 2018 memorandum. If there is any disagreement regarding CLEPC's terms and conditions described in our memoranda, I request the Board place this matter on the next available Board of Supervisors Public Hearing Agenda and provide appropriate direction.

CHH/anc

Attachments

c: The Honorable Chairman and Members, Pima County Board of Supervisors
The Honorable Mark Napier, Pima County Sheriff



Pima County Clerk of the Board

Julie Castañeda

Melissa Manriquez
Deputy Clerk

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MEMORANDUM

To: Chuck Huckelberry
County Administrator

From: Julie Castañeda
Clerk of the Board

A handwritten signature in black ink, appearing to read "Julie Castañeda", written over the printed name.

Date: October 16, 2018

Re: Community Law Enforcement Partnership Commission Mission

On October 4, 2018, staff from the Pima County Sheriff's Department PCSD, Criminal Justice Reform Unit of County Administrator's Office, Grants Management and Innovation Department, and Clerk of the Board's Office met to discuss the transition of the Community Law Enforcement Partnership Commission (CLEPC) and its new role and responsibilities. During our meeting, it became clear that there were questions that need additional clarification and possibly the Board's approval on how to proceed.

In your memorandum dated September 26, 2018, you state that "When a grant is received or applied for, or a notice of award has been made to the Sheriff, the grant is then directly forwarded to CLEPC." Regarding grant applications, Staff is concerned about the potential for hardship on all parties in cases in which the Sheriff might be forced to miss funding application deadlines due to the timing of CLEPC meetings, Board of Supervisors' Agenda deadlines, and/or the lack of a CLEPC quorum. Staff therefore proposes that the Sheriff's Department not be required to seek CLEPC approval on grant applications. Alternatively, the Sheriff's Department will provide updates and explanations about their pending grant applications to the Commission at each monthly meeting.

Staff also recommends that as soon as a Notice of Award (NOA) is provided to the Sheriff's Department, that the NOA then be placed on the CLEPC's agenda for review (it is assumed that the full NOA and all final grant application submittal materials that resulted in this award will be provided as an attachment to the agenda). This approach will ensure that the Commission has all the necessary information it needs to carry out its obligation to accept, deny, or make no recommendation regarding the funding award.

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Subsequent to the October 4, 2018 meeting, the Sheriff's Department identified additional concerns. One such concern is the need to clarify what constitutes a recommendation by the CLEPC and what constitutes a quorum. The clarification should be that the CLEPC can only make a recommendation when there is a quorum. PCSD also pointed out that in your September 6, 2018 memo, you indicate that "there would be three appointments" for each Board Member to the CLEPC, "one of which needs to have expertise in the criminal justice system." Since the role of these appointees is critical for the CLEPC to understand criminal justice system grants, the Sheriff's Department proposes that a quorum cannot be achieved without a majority of these experts present during any vote for or against endorsement. Finally, the Sheriff's Department asserts that regardless of the opinion of the CLEPC, the Sheriff's Department should not be precluded from presenting grant awards to the Board for approval, since the CLEPC is an advisory body only.

At the next meeting of the CLEPC, which has been scheduled for November 13, 2018, staff would like to proceed with a study session to provide the Commission with an explanation of their new responsibilities as indicated above and if approved by the Board, develop and present a process for grant applications and grant awards, explain how the grant cycle will work, provide training, and establish bylaws and new meeting dates and times, if necessary.

For your information each of the departments attending the meeting are in agreement with this process.

Staff proposes the following revised CLEPC mission and would like to request your assistance in providing these revisions to the Board of Supervisors for their approval.

Mission: To provide the Board of Supervisors with a review and recommendation on all grants awarded to the Sheriff's Department*. To be provided information on all grant applications being submitted by the Sheriff's Department**.

*Includes all grants awarded to and submitted by the Pima County Sheriff's Department for the Board of Supervisors' consideration

**This process includes grants that are led and managed by the Sheriff's Department whether the Sheriff is a primary grant recipient or subrecipient.

/jc