

INTRODUCED: March 12, 2018

AN ORDINANCE No. 2018-099

To authorize the Chief Administrative Officer to accept funds in the amount of \$6,500.00 from the Virginia Department of Criminal Justice Services and to appropriate the increase to the Fiscal Year 2017-2018 Special Fund Budget by increasing estimated revenues and the amount appropriated to the Department of Police’s Department of Criminal Justice Services special fund by \$6,500.00 for the purpose of funding police officer safety and wellness training initiatives.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAR 26 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Chief Administrative Officer, for and on behalf of the City of Richmond, is authorized to accept funds in the amount of \$6,500.00 from the Virginia Department of Criminal Justice Services for the purpose of funding police officer safety and wellness training initiatives.

§ 2. That the funds received are hereby appropriated to the Special Fund Budget for the fiscal year commencing July 1, 2017, and ending June 30, 2018, by increasing estimated revenues by \$6,500.00, increasing the amount appropriated for expenditures by \$6,500.00, and allotting to

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAR 26 2018 REJECTED: _____ STRICKEN: _____

the Department of Police's Department of Criminal Justice Services special fund the sum of \$6,500.00 for the purpose of funding police officer safety and wellness training initiatives.

§ 3. This ordinance shall be in force and effect upon adoption.



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST
4-7528
FEB 15 2018
Office of the
Chief Administrative Officer

O&R REQUEST

DATE: February 5, 2018

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

Handwritten initials and date: JS 3/6/18

RECEIVED

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

Handwritten initials: SGO

MAR 08 2018

THROUGH: Lenora Reid, DCAO Finance and Administration

THROUGH: John B. Wack, Director of Finance

Handwritten note: For JOHN WACK

OFFICE OF CITY ATTORNEY

THROUGH: Jay A. Brown, Ph.D., Director of Budget and Strategic Planning

Handwritten initials: JAB

FROM: Alfred Durham, Chief of Police

Handwritten signature of Alfred Durham

RE: Acceptance of grant funds to support Police Officer Safety and Wellness

ORD. OR RES. No. _____

PURPOSE: To authorize the Chief Administrative Officer (CAO) to amend the FY2018 Special Fund Budget by accepting \$6,500.00 from the Department of Criminal Justice Services (DCJS) to support Police Officer Safety and Wellness Training.

REASON: Grant funds are requested to support Police Officer Safety and Wellness Training (Resiliency Training). The Richmond Police Department (RPD) is committed to officer safety; however, assistance with coordinating internal and external resources to ensure the well-being of our officers is necessary. The conversation begins with the development of an intentional and comprehensive plan designed to address the amount of stress officers endure on the job. The next steps include hosting Resiliency Training.

Weekly, the City of Richmond Police Department addresses crime statistics - meeting daily to discuss crime prevention and operations. While crime is addressed frequently, the safety and wellness of our officers is minimally addressed until a traumatic event occurs. Our officers are hurting and suffering in their silence to deal with horrific images, thoughts and feelings that reoccur daily. Although the City of Richmond offers an Employee Assistance Program, the Critical Incident Stress Management Team (CISM) and peer support for offic-

ers, there are a lack of services and practices to support safety and wellness. Little attention is paid to the officers' emotional, psychological and physical well-being.

RECOMMENDATION: It is recommended that this funding is accepted and appropriated to the Richmond Police Department FY 2018 Special Fund Budget for Police Officer Safety and Wellness Training.

BACKGROUND: In any given moment, an officer is challenged with making a decision that can change his or her life forever. Whether an officer decides to use force, negotiates with a person attempting to commit suicide, or persuades a criminal to abide by the law, the ultimate goal is for the officer to return home to his or her family and work environment. After several life or death occurrences, the reality of returning to a sense of normalcy transitions into burnout, stress and an inability to exist as "normal". Deeply traumatized by a series of events, one wonders if resources are truly available to support officers. Moreover, one questions the confidentiality of those resources and if these resources or tools are supported in an organizational culture that promotes toughness and a quick return in spite of an officer's observation of a horrific and traumatic event.

Although the Richmond Police Department has a few resources, the Employee Assistance Program (EAP) and the Critical Incident Stress Management Team (CISM) for officers who have experienced trauma while in the line of duty, the RPD is in need of a comprehensive plan to address officer safety which includes an ongoing psychological, emotional and physical assessment. Funding from the Department of Criminal Justice Services would support a comprehensive plan and training by national trainers and experts.

FISCAL IMPACT / COST: These funds will increase the FY18 Special Funds Budget

FISCAL IMPLICATIONS: The addition of these funds (\$6,500) will allow the Richmond Police Department an opportunity to financially support an intentional and comprehensive plan to support the safety and wellness of Richmond Police Officers.

BUDGET AMENDMENT NECESSARY: Yes. This request amends the FY18 Special Fund Budget.

REVENUE TO CITY: The City of Richmond will add \$6,500 to the FY18 Special Funds Budget.

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: February 2018

CITY COUNCIL PUBLIC HEARING DATE: February 2018

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: Public Safety and City Council Committee

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None.

AFFECTED AGENCIES: Department of Finance, Department of Budget and Strategic Planning and the Richmond Police Department

O&R Request

Page 3 of 3

RELATIONSHIP TO EXISTING ORD. OR RES.: Amends the FY18 Special Fund Budget Ordinance 2017-037

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: Grant Application, Itemized Budget, Project Goals and Objectives, Project Narrative, Certifications Regarding Lobbying, Grant Conditions and Assurances

STAFF:

Alfred Durham, Chief of Police, Alfred.Durham@richmondgov.com

William B. Friday, Deputy Director I, Richmond Police Department, William.Friday@richmondgov.com

Matthew E. Peanort, Program Manager, Matthew.Peanort@richmondgov.com

GiTonya L. Parker, Grants Manager, 804.646.7648, GiTonya.Parker@richmondgov.com



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Francine C. Ecker
Director

December 13, 2017

1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
TDD (804) 786-8732

Ms. Selena Cuffee-Glenn
Chief Administrative Officer
City of Richmond
900 E. Broad Street, Rm 201
Richmond, VA 23219-1907

Title: Byrne/JAG Program - Police Officer Safety and Wellness

Dear Ms. Cuffee-Glenn:

I am pleased to advise you that grant number 18-A4266AD11 for the above-referenced grant program has been approved for an award of \$6,500 in Federal Funds.

Enclosed you will find a Statement of Grant Award and a Statement of Grant Award Special Conditions. To indicate your acceptance of the award and conditions, please sign the award acceptance and return it to Janice Waddy, Grants Administrator, at the Department of Criminal Justice Services (DCJS). Please review the conditions carefully; as some require action on your part before we will disburse grant funds.

Also, enclosed are the Post Award Instructions and Reporting Requirements. Please refer to and read this information carefully as it contains details on processing financial and progress reports, as well as requesting awarded funds. *Remember all financial and progress reports, budget amendment requests and request for funds must be processed through our online Grants Management Information System (GMIS).*

We appreciate your interest in this grant program and will be happy to assist you in any way we can to assure your project's success. If you have any questions, please call Patrick Harris at (804) 786-5367.

Sincerely,

A handwritten signature in black ink, appearing to read "Francine C. Ecker".

Francine C. Ecker
Director

Enclosures

cc: Chief Alfred Durham, Chief of Police
Mr. John Wack, Director of Finance
Mr. Patrick Harris, DCJS Monitor

ITEMIZED BUDGET								
1. Personnel/Employees				DCJS FUNDS		APPLICANT MATCH		TOTAL
a. Name of Employees	Position Titles	Annual Hourly Rate	Hours Devoted	FEDERAL	STATE	CASH	IN-KIND	
								\$0
								\$0
								\$0
								\$0
								\$0
								\$0
TOTAL				\$0	\$0	\$0	\$0	\$0
b. Fringe Benefits								\$0
FICA % =								\$0
RETIREMENT =								\$0
OTHER (Itemize) =								\$0
TOTAL				\$0	\$0	\$0	\$0	\$0
TOTAL PERSONNEL (A+B)				\$0	\$0	\$0	\$0	\$0

2. Consultants (including Travel and Subsistence)				DCJS FUNDS		APPLICANT MATCH		TOTAL
				FEDERAL	STATE	CASH	IN-KIND	
a. Individual Consultants								
Type	Resiliency Curriculum Developer				\$1,500			\$1,500
Hours Devoted:	40 hours							\$0
TOTAL				\$0	\$1,500	\$0	\$0	\$1,500
b. Organizations and Associations								
Type:	ALERRT Trainers				\$5,000			\$5,000
Fee:	\$5,000							\$0
Time Devoted:	24 hours							\$0
TOTAL				\$0	\$5,000	\$0	\$0	\$5,000
c. Consultants' Subsistence and Travel								
Number of Days:								\$0
Rate/Day:								\$0
TOTAL				\$0	\$0	\$0	\$0	\$0
TOTAL CONSULTANTS (a+b+c)				\$0	\$6,500	\$0	\$0	\$6,500

3. Travel and Subsistence for Project Personnel				DCJS FUNDS		APPLICANT MATCH		TOTAL
				FEDERAL	STATE	CASH	IN-KIND	
a. Local Mileage = No. of Miles X Rate Per mile	X							\$0
b. Non Local Mileage = No. of Miles X Rate Per mile	X							\$0
c. Subsistence = number of days X rate per day	X							\$0
d. Air or other fares								\$0
TOTAL TRAVEL:				\$0	\$0	\$0	\$0	\$0

ITEMIZED BUDGET Continued

4. Equipment				DCJS FUNDS		APPLICANT MATCH		TOTAL
Type	Quantity	Unit Price	Purchase or Rental	FEDERAL	STATE	CASH	IN-KIND	
								\$0
								\$0
								\$0
TOTAL EQUIPMENT:				\$0	\$0	\$0	\$0	\$0

5. Supplies and Other Expenses				DCJS FUNDS		APPLICANT MATCH		TOTAL
Type	Quantity	Price		FEDERAL	STATE	CASH	IN-KIND	
								\$0
								\$0
								\$0
								\$0
								\$0
								\$0
								\$0
								\$0
								\$0
								\$0
								\$0
TOTAL SUPPLES AND OTHER:				\$0	\$0	\$0	\$0	\$0

6. Indirect Cost				DCJS FUNDS		APPLICANT MATCH		TOTAL
				FEDERAL	STATE	CASH	IN-KIND	
								\$0
TOTAL INDIRECT COST:				\$0	\$0	\$0	\$0	\$0

GRAND TOTAL:				\$0	\$6,500	\$0	\$0	\$6,500
7. Cash Funds								
Cash funds from sources other than grant program supporting this project- (itemize).								
Do not add to requested Project Budget Summary accounts.)								
TOTAL:								



**Department of Criminal Justice Services
Project Goals and Objectives Form**

Applicants must complete and submit a *Project Plan* with their application. It is recommended that applicants choose one goal and no more than three objectives. Each objective must be Specific, Measurable, Achievable, Related to the project goal, and Time-bound (SMART). A separate form must be submitted for each objective.

Please use **Times New Roman, 11 point**. The text boxes will expand to accommodate text. Insert additional rows, if needed, for Activities. Otherwise, please do not alter the form.

1. Purpose Area	Police Officer Safety and Wellness	6. Mark months in which implementation step occurs											
2. Goal	To develop a Resilience Training Curriculum and Supportive Resources for Officers	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
3. Objective	To develop a comprehensive resourceful curriculum for use by RPD Support Systems by June 2018												
4. Grant Start/End Dates	January 1, 2018 – September 30, 2018												
5. Activities	Identify curriculum developer (CD)							X					
	Invite CD to participate on the Resiliency Training Committee								X				
	Assist CD with organizational evaluation and assessment									X			
	Provide supplies, technology assistance and resources to assist the DC with development									X	X		
	Review updates to the curriculum monthly									X	X		
	Finalize curriculum content										X	X	
	Present Resiliency Training Curriculum											X	X

Project Narrative

Need Statement



Based on the 2015 United States Census Bureau, the City of Richmond's estimated population is 220,289. The population is very diverse and includes over 60,000 Latino-Americans. It is generally accepted that the total population for Richmond and immediate jurisdictions is a little over 800,000. Richmond, Virginia's capital city has major highway systems that flow directly through the city limits. Interstate 95, the main north-south artery of the east coast and Interstate 64, a primary east-west thoroughfare, are essential links to business and commerce, tourist attractions and various attractions within the city and surrounding jurisdictions. In fact, the City of Richmond hosted the 2015 UCI Road World Championships in September 2015 which brought national and international exposure to Virginia's capital. More than 1000 athletes from 70 countries and thousands of spectators from around the world were in attendance over a nine-day period. Due to the overwhelming attraction to cycling and response from citizens and tourists, Richmond, VA has evolved into a cycling community. In October 2015, Virginia Governor Terry McAuliffe delivered the keynote address and cut the ribbon at the opening of the entire Virginia Capital Trail. Richmond also has a minor league baseball team, the Flying Squirrels and is the host for the Washington Redskin's Football Training Camp. The combination of these factors, as well as others, contributes to the daily public safety challenges and the increase in criminal activity.

The Richmond Police Department operates under its overarching mission and vision:

City of Richmond, VA Police Department
React, Recover & Restore – Creating a supportive organizational culture

RPD Mission:

We make Richmond a safer city through community policing and engagement.

RPD Vision: The City of Richmond is a thriving community offering safe neighborhoods and an enhanced quality of life through responsive, communication and public trust.

The City of Richmond Police Department is dedicated to providing a customer-service imprint that encompasses the following standards of excellence:

- Accountability
- Community Focus
- Innovation
- Integrity
- Professionalism
- Shared Trust

RPD Focus Areas:

- Customer Care
- RPD Morale
- Safeguarding the Community
- Youth Engagement
- Technology

Organizational Capacity

The RPD is led by Chief Alfred Durham. The following report directly to the Chief of Police:

- Deputy Chief of Administration
- Deputy Chief of Operations
- Deputy Chief of Support Services
- Chief of Staff
- Office of Professional Responsibility
- Disciplinary Review
- Internal Affairs
- General Counsel

In total, the RPD consists of over 700 sworn and civilian staff.

Description of Unmet Need or Problem

The City of Richmond Police Department protects and serves the citizens of Richmond, VA. With an estimated population of 220,289, the city is inclusive of persons that enjoy the rich history and culture of the city as well as citizens who do not appreciate its beauty and diversity. While one may believe that an appreciation of life is worthy of fulfillment, there are individuals that believe that life has no value. Persons in disbelief of the quality of life find themselves confronting dangerous situations with an insensitivity of the consequences. These wayward citizens may find themselves in uncompromising situations requiring the attention of law enforcement. In any given moment, an officer is challenged with making a decision that can change his or her life forever. Whether an officer decides to use force, negotiates with a person

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attempting to commit suicide, or persuades a criminal to abide by the law, the ultimate goal is for the officer to return home to his or her family and work environment. After several life or death occurrences, the reality of returning to a sense of normalcy transitions into burnout, stress and an inability to exist as “normal”. Deeply traumatized by a series of events, one wonders if resources are available to support officers. Moreover, one questions the confidentiality of those resources and if these resources or tools are support in an organizational culture that promotes toughness and a quick return in spite of an officer’s observation of horrific and traumatic events.

The RPD is committed to officer safety; however, assistance with coordinating internal and external resources is needed. The conversation begins with the development of a comprehensive plan. It is not enough to identify resources and tools in support of officer safety and wellness. An identified plan is necessary to speak loudly for officers that suffer from depression, burnout, exhaustion and physical illnesses that have surfaced due to the amount of stress endured on the job.

Current events continue to shed light on our imperfect world. Over a month ago, Stephen Paddock opened fire on a crowd of concertgoers at the Harvest music festival in Las Vegas leaving 58 people dead and 546 people injured. One month later, eight people were killed and almost a dozen injured when a 29-year-old man in a rented pickup truck drove down a busy bicycle path near the World Trade Center in Manhattan, New York City. In the City of Richmond, there have been fourteen homicides in two months and the statistics below demonstrate the need for a comprehensive, supportive plan for officers in the line of duty:

- **The overall crime rate in Richmond is 18% higher than the national average.**
- **For every 100,000 people, there are 9.14 daily crimes that occur in Richmond.**
- **In Richmond, you have a 1 in 30 chance of becoming a victim of any crime.**

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- The number of total year over year crimes in Richmond has decreased by 25%.
- Richmond is safer than 29% of the cities in the United States.

Weekly, the City of Richmond Police Department address crime statistics – meeting daily to discuss crime prevention and operations. While crime is addressed frequently, the safety and wellness of our officers is minimally addressed until a traumatic event occurs. When a horrific event impacts the police department, resources are presented as the solution to quickly erase a stained and unforgettable image. According to an officer who saw a man’s head disconnected from his body, he said, “The image never goes away.” Our officers are hurting and silently asking for help to deal with these images and thoughts that reoccur daily. There are a lack of services and practices to support safety and wellness. Little attention is paid to the officers’ emotional, psychological and physical well-being.

Officer suicide is also a problem: a national study using data of the National Occupational Mortality Surveillance found that police died from suicide 2.4 times as often as from homicides. And though depression resulting from traumatic experiences is often the cause, routine work and life stressors—serving hostile communities, working long shifts, lack of family or departmental support—are frequent motivators too. Therefore, a comprehensive supportive plan is necessary.

Project Description

The Richmond Police Department has a few resources for officers who have experienced trauma in the line of duty. The Critical Incident Stress Management Team – *peer support* (CISM), the Employee Assistance Program (EAP) and some training provided at the Richmond Police Academy are the only *known* resources available to support officers. The RPD is in need of a comprehensive plan to address officer safety which includes psychological, emotional and

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physical wellness. A comprehensive plan would provide the RPD with training to do the following:

- Prevent violent encounters and train officer to survive them
- Provide critical information to improve officers' awareness of potentially violent situations and their ability to respond appropriately to critical events
- Identify potential danger and shield their officers from injury
- Reduce overall violence in their communities
- Bring greater awareness, leadership, and focus to improving officers' health and wellness
- **Support the officer, the officers' families, and their agencies and communities if a tragic event does occur**

The Richmond Police Department is committed to developing a comprehensive, supportive plan for officers and their families. The plan begins with developing a Resilience Training Committee dedicated to providing attention to the officers' well-being. In addition to dedicating a group of officers and community partners for the committee, the RPD is requesting grant funding to support officers that have experienced a traumatic event by hosting Resilience Training at the Richmond Police Academy. This two to three-day training will address the psychological, emotional and physical well-being of the officer while also addressing and creating a supportive organizational culture. Grant funding will be utilized to bring in subject-matter experts to write curricula and train our trainers.

Project Timeline

A detailed timeline is presented below. Grant awards received after the City government's acceptance and approval of special funds *may* be submitted to City government if the funds are considered NEW. Normally, the submission of an Ordinance & Resolution from

City of Richmond, VA Police Department
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the Chief of Police takes 30 to 60 days for approval from city government. The timeline below is subject to change due to that process; however, it does not affect the expiration of the grant award.

January 2018

- Accept grant funding*: Ordinance & Resolution, Set up Grant
- Identify officers/civilians to participate on the Resiliency Training Committee (Curriculum Developer will attend monthly meetings)
- Begin preparations to host Resiliency Training at the RPD Academy
- Identify officers attending the Resiliency Training
- Set weekly Committee meetings

February 2018

- Set up Grant in Procurement System*
- Resiliency Training Committee Meeting (bi-monthly)

March 2018

- Resiliency Training Committee Meeting (bi-monthly)

April 2018

- Resiliency Training Committee Meeting (bi-monthly)

May 2018

- Resiliency Training Committee Meeting (weekly)
- Finalize planning for Resiliency Training at the Academy
- Finalize the Resiliency Curriculum

June 2018

- Resiliency Training at the Academy
- Resiliency Training Committee Meeting post training to evaluate surveys
- Present the Resiliency Curriculum at the training

July 2018

- Finalize any outstanding business regarding the training

August 2018

- Grant Close Out
- Schedule Resiliency Training Committee Meetings for the remainder of the year

Notes:

*Subject to change due to the City of Richmond Ordinance and Resolution Process and/or unforeseen delays during the procurement process.

External Training: officers identified by Critical Incident Stress Management Team (CISM)

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Internal Training: hosted by RPD; two-day training for 20-25 officers
Timeline subject to change. Changes will be reflected in the quarterly reports.

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND
OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grantor cooperative agreement over \$100,000 as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions:

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements and subcontracts) and that all subrecipients shall certify and disclose accordingly.

**2. DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS
(DIRECT RECIPIENT)**

As required by Executive Order 12549, Debarment and Suspension, and Implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(C) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**3. DRUG-FREE WORKPLACE
(GRANTEES OTHER THAN INDIVIDUALS)**

As required by the drug-Free Workplace Act of 1988, and implemented at 28 CFR Parts 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620---

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about---

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted--

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

Section 67.630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check if the State has elected to complete OJP form 4061/7.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620--

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

GENERAL GRANT CONDITIONS AND ASSURANCES

The applicant, for federal funds administered by DCJS, gives assurances and certifies with respect to the grant that it will comply with the following requirements:

1. The applicant assures that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Department of Criminal Justice Services shall prescribe shall be provided to assure fiscal control, proper management, and efficient disbursement of funds received under this grant.
2. **REPORTS:** Each applicant shall submit such reports as the DCJS shall reasonably request. Financial and progress reports shall be submitted to the DCJS on the **12th working day** following the close of each quarter unless otherwise informed.
3. **GRANT CLOSEOUT:** The last quarterly report of a project using federal funds must indicate any unpaid obligations, which exist at the expiration of the grant. The applicant has 90 days to liquidate any unpaid obligations and submit a final financial report.
4. **UNUSED FUNDS:** Any funds that have been requested, but unexpended at the end of the grant period will be refunded by check made payable to the **Treasurer, Commonwealth of Virginia**, and will accompany the final financial report when it is submitted to DCJS. (Most state agencies must use DPB form 27 and an IAT to return unused grant funds.) The check should be mailed to the attention of the Finance Department, Department of Criminal Justice Services, 1100 Bank Street, 12th Floor, Richmond, VA, 23219.
5. **INSPECTION AND AUDIT:** The applicant agrees to comply with the organizational audit requirements of OMB Circular A-133, "Audits of State, Local Governments and Non-Profit Institutions." In conjunction with the beginning date of the award, the audit report period of the local government entity to be audited under the single audit requirement is the start-date of the project through the end-date of the project as noted on the Statement of Grant Award/Acceptance. The audit report shall be submitted no later than one (1) year from the end-date of the grant award as stated on the Statement of Grant Award/Acceptance, and for each audit cycle thereafter covering the entire award period as originally approved or amended. The management letter must be submitted with the audit report. A copy of all audits must be forwarded to the Finance Department, Department of Criminal Justice Services.
6. The applicant will comply, where applicable, with the following:
 - National Environment Policy Act of 1969 (42 U.S.C. § 4321);
 - Flood Plain Management and Wetland Protection Procedures (28 CFR 63);
 - National Historic Preservation Act (16 USC 470);
 - Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970. (42 U.S.C. § 4601 et seq.);
 - Clean Air Act, P. L. 88-206, 42 USC 1857, et seq;
 - Safe Drinking Water Act, P. L. 93-523, 42 USC 3001, et seq;
 - Endangered Species Act of 1973, P. L. 93-205, 16 USC 1531, et seq;

- Wild and Scenic Rivers Act, P. L. 90-542, 16 USC 1271, et seq;
 - Fish and Wildlife Coordination Act, P. L. 85-624, 16 USC 661, et seq;
 - Historical and Archaeological Data Preservation Act, P. L. 93-291, 16 USC 2469, et seq;
 - Coastal Zone Management Act of 1979, P. L. 92-583, 16 USC 1451, et seq. and the Coastal Barrier Resources Act of 1982 (P.L. 97-348);
 - Animal Welfare Act of 1970, P. L. 91-579, 7 USC 2131, et seq;
 - Impoundment Control Act of 1974, P. L. 93-344, 31 USC 1401, et seq; and
 - The Fair Labor Standards Act, if applicable.
7. **POLITICAL ACTIVITY:** The restrictions of the Hatch Act, Pub. L. 93-433, 5 USC Chapter III, (as amended), concerning the political activity of government employees are applicable to applicant staff members and other state and local government employees whose principal employment is in connection with activities financed, in whole or in part, by grants. Under a 1975 amendment to the Hatch Act, such state and local government employees may take an active part in political management and campaigns except they may not be candidates for office.
8. **DISCRIMINATION PROHIBITED:** No person shall, on the grounds of race, religion, color, national origin, sex, or handicap be excluded from participation in, be denied the benefits or be otherwise subjected to discrimination under or denied employment in connection with, grants awarded pursuant to the Justice Assistance Act of 1984, and the implementing regulations 28 CFR Part 42, Subparts C, D, E, and G, or any project, program, activity, or subgrant supported or benefiting from the grant. The applicant must comply with the provisions and requirements of Title VI of the Civil Rights Act of 1964 and its implementing regulations 28 CFR 41.101 et seq. The applicant must further comply with Section 504 of the Rehabilitation Act of 1973, as amended, and its implementing regulations; the Age Discrimination Act of 1973, as amended, and its implementing regulations and Title IX of the Education Amendments of 1972; Title 11 of the Americans with Disabilities Act (ADA)(1990); (42 USC. 12131-12134 & 28 CFR 35).
9. **EQUAL EMPLOYMENT OPPORTUNITY PROGRAM:** Each applicant certifies that it has executed and has on file, an Equal Employment Opportunity Program which conforms to the provisions of 28 CFR Section 42.302 or that in conformity with the foregoing regulation; no Equal Employment Opportunity Program is required.

The applicant organization having 50 or more employees who would receive amounts of \$500,000 or more, or grants which in the aggregate exceed \$500,000 or more, in any fiscal year must submit a copy of their Equal Employment Opportunity Plan (EEO) to the DCJS for review. For continuation grant funding that exceed these amounts in any fiscal year the applicant must submit a statistical update from the previous year's plan.

10. The applicant assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will forward a copy of the finding to the DCJS.

11. **RELEASE OF INFORMATION:** All records, papers and other documents kept by recipients of DCJS funds, and their contractors, relating to the receipt and disposition of such funds, are required to be made available to the DCJS. These records and other documents submitted to DCJS and its applicants pursuant to other provisions of the Act, including plans and application for funds, are required to be made available to DCJS under the terms and conditions of the Federal Freedom of Information Act, 5 USC 552.
12. **INFORMATION SYSTEMS:** With respect to programs related to criminal justice information systems, the applicant agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of the individual privacy and the insurance of the integrity and accuracy of data collection. The applicant further agrees:
 - That all computer programs (software) developed with funds provided by this grant will be made available to the DCJS for transfer to authorized users in the criminal justice community without cost other than that directly associated with the transfer. The software will be documented in sufficient detail to enable potential users to adapt the system, or portions thereof, to usage on a computer of similar size and configuration.
 - To provide a complete copy of the computer programs and documentation, upon request, to the DCJS. The documentation will include but not be limited to system description, operating instruction, program maintenance instructions, input forms, file descriptions, report formats, program listings, and flow charts for the system and programs.
 - That whenever possible all application programs will be written in standardized programming languages (i.e., ANSI, Cobol, FORTRAN, Basic, etc.) for use on general operating systems (e.g., DOS, CP/M, UNIX, etc.) that can be utilized on at least three different manufacturers computers of similar size and configuration.
 - To avail itself, to the maximum extent possible, of computer software already produced and available without charge. The Department of Criminal Justice Services should be contacted to determine availability of software prior to any development effort.
13. **CONFIDENTIALITY OF RESEARCH INFORMATION:** Research information identifiable to an individual, which was obtained through a project funded wholly or in part with DCJS grant funds, shall remain confidential and copies of such information shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding (28 CFR Part 22).
14. **CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES:** The applicant agrees to be in compliance with all policies as expressed under the Code of Federal Regulations, 28 CFR 23, concerning the operation of criminal intelligence systems funded with DCJS funds.
15. **COPYRIGHT:** Except as otherwise provided in the conditions of the award, the author is free to arrange for copyright without approval when publication or similar materials are developed from work under a DCJS supported project. Any such copyright materials shall be subject to the DCJS's right to reproduce them, translate them, publish them, use and dispose of them, and to authorize others to do so for government purposes. In addition, communications in primary scientific or professional journals publishing initial reports or research or other activities and supported in whole or in part by the DCJS project funds may be copyrighted by the journal with the understanding that individuals are authorized to make or have made by any means available to them, without regard to the copyright of the journal, and without royalty, a single copy of any such article for their own use. State employees who

16. **PATENTS:** If any discovery or invention arises or is developed in course of or as a result of work performed under this grant, the applicant shall refer the discovery or invention to DCJS. The applicant hereby agrees that determination of rights to inventions made under this grant shall be made by the DCJS or its duly authorized official representative, who shall have the sole and exclusive powers to determine whether or not and where patent application should be filed and to determine the disposition of all rights in such inventions, including title which may issue thereon. The determination of the DCJS or its duly authorized representative shall be accepted as final. In addition, the applicant hereby agrees and otherwise recognizes that the DCJS shall acquire at least an irrevocable non-exclusive royalty-free license to practice and have practiced throughout the world for governmental purposes any invention made in the course of or under this grant. The grant shall include provisions appropriate of effectuating the purpose of this condition in all contracts of employment, consultant's agreements, or contracts.
17. The applicant assures that funds made available under this grant will not be used to supplant state or local funds, but will be used to increase the amounts of such funds that would be, in the absence of these funds, made available for drug law enforcement activities.
18. Confidential expenditures for services, evidence and/or information must comply with the requirements stated in the Administrative Guide and Application Procedures Manual.
19. **BIO MEDICAL EXPERIMENTATION:** The applicant assures that no grant funds will be used for any bio-medical or behavior control experimentation on individuals or any research involving such experimentation.
20. The applicant agrees to complete a **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion**, prior to finalizing any financial agreements pursuant to 28 CFR 67.510 (Code of Federal Regulations). This includes consultants under any award.
21. The applicant must state the percentage of the total cost of this program supported by federal funds and the dollar amount of federal funds for this program. This statement shall be on all press releases, requests for proposals; bid solicitation and other documents describing the program whether funded in-whole or in-part with federal funds.
22. The grantee agrees that any publication (written, visual, or sound, but excluding press releases newsletters, and issue analyses) issued by the grantee or by any Applicant describing programs or projects funded in-whole or in-part with Federal Funds, shall contain the following statement:

This project was supported by the Department of Criminal Justice Services (DCJS) grant # _____, with funds made available to the Commonwealth of Virginia from the Office of _____, U.S. Department of Justice.

Points of view or opinions contained within this document are those of the author and do not necessarily represent the official position or policies of the Virginia Department of Criminal Justice Services or the United States Department of Justice.

The applicant also agrees that one copy of any such publication will be submitted to the DCJS to be placed on file and distributed as appropriate to other potential applicants or

interested parties. DCJS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the applicant.

23. Applicants with federal grants that procure goods or services that have an aggregate value of \$500,000 or more must specify in any announcement of the awarding of the contract for the procurement of the goods and services involved (including construction services) a) the amount of Federal funds that will be used to finance the acquisition; and b) expresses the amount announced pursuant to paragraph (a) as a percentage of the total cost of the planned acquisition. This complies with Public Law 102-141, section 623 (formally the Stevens Amendment).

CERTIFICATION

I certify that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with the provisions of all other federal and state laws and rules and regulations that apply to this award.

Authorized Official (Project Administrator)

Date