

INTRODUCED: April 8, 2019

AN ORDINANCE No. 2019-107

To authorize the Chief Administrative Officer to accept funds in the amount of \$49,999.00 from the Office of the Attorney General of Virginia, and to appropriate the grant funds received to the Fiscal Year 2018-2019 Special Fund Budget by increasing estimated revenues and the amount appropriated to the Department of Police's OAG Asset Forfeiture Transfer Program special fund by \$49,999.00 for the purpose of funding the acquisition of police equipment including a mobile video system, pole cameras, safety shields, and emergency medical equipment bags.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAY 13 2019 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Chief Administrative Officer is authorized to accept funds for the City of Richmond in the amount of \$49,999.00 from the Office of the Attorney General of Virginia for the purpose of funding the acquisition of police equipment including a mobile video system, pole cameras, safety shields, and emergency medical equipment bags.

§ 2. That Ordinance No. 2018-058, adopted May 14, 2018, which adopted the Special Fund Budget for the fiscal year commencing July 1, 2018, and ending June 30, 2019, and made

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 13 2019 REJECTED: _____ STRICKEN: _____

appropriations pursuant thereto, be and is hereby amended by increasing revenues from the funds accepted pursuant to section 1 of this ordinance by \$49,999.00 and increasing the amount appropriated to the Department of Police's OAG Asset Forfeiture Transfer Program special fund by \$49,000.00 for the purpose of funding the acquisition of police equipment including a mobile video system, pole cameras, safety shields, and emergency medical equipment bags.

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



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST
4-8679
MAR 15 2019
Office of the
Chief Administrative Officer

O&R REQUEST RECEIVED

DATE: March 6, 2019

EDITION: MAR 29 2019

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

Handwritten initials and date: 3/29/19

OFFICE OF CITY ATTORNEY

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

Handwritten signature

THROUGH: Lenora Reid, DCAO Finance and Administration

Handwritten initials

THROUGH: John B. Wack, Director of Finance

Handwritten initials: JBW

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

Handwritten initials: JAB

THROUGH: William B. Friday, Deputy Chief - Business Services

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FROM: William C. Smith, Interim Chief of Police

Handwritten signature: will c smith

RE: Acceptance of funds from the Office of the Attorney General to support the purchase police equipment

ORD. OR RES. No. _____

PURPOSE: To authorize the Chief Administrative Officer (CAO) to accept \$49,499.00 from the Office of the Attorney General (OAG) and appropriate the same to the Richmond Police Department FY2019 Special Fund Budget for the purpose of supporting the purchase of police equipment to include a Mobile Video System, Pole Cameras, Safety Shields, and Medical Go Bags.

REASON: The Richmond Police Department submitted a proposal to the OAG to address violent crime and issues that negatively affect the quality of life in the City's public housing neighborhoods such as Creighton Court, Mosby Court, Gilpin Court, and Whitcomb Court. The OAG received funds to redistribute to law enforcement entities in the state of Virginia.

RECOMMENDATION: It is recommended that this funding is accepted and appropriated to the Richmond Police Department FY 2019 Special Fund Budget for State Asset Forfeiture (OAG).

BACKGROUND: On May 7, 2012, Abbott Laboratories (“Abbott”) entered into a plea agreement with the United States, pleading guilty to one count of violating Title 21, United States Code, Sections 331(a), 333(a)(1), related to the introduction and delivery into interstate commerce the misbranded drugs Depakote, Depakote ER, and Depakote Sprinkle. United States v. Abbott Laboratories, Case No. 1:12-CR-00026 (W.D. Va.) (Judgement entered October 2, 2012). **These funds are part of a redistribution of the returned funds from law enforcement entities in the state of Virginia to be used for law enforcement purposes as outlined in a July 8, 2018 letter from the Department of Treasury Executive Office of Asset Forfeiture.**

FISCAL IMPACT / COST: These funds will increase the Richmond Police Department FY19 Special Fund Budget.

FISCAL IMPLICATIONS: Acceptance of this award will allow the Richmond Police Department an opportunity to financially support the purchase of police equipment to include a Mobile Video System, Pole Cameras, Safety Shields, and Medical Go Bags.

BUDGET AMENDMENT NECESSARY: Yes. To amend Special Fund ordinance #2018-058.

REVENUE TO CITY: The City of Richmond will receive a total of \$49,499 from the Office of the Attorney General to be appropriated to the Richmond Police Department.

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: April 8, 2019

CITY COUNCIL PUBLIC HEARING DATE: April 22, 2019

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: Public Safety

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None.

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

RELATIONSHIP TO EXISTING ORD. OR RES.: Amends the Special Fund Budget, Ordinance #2018-058.

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: Memorandum of Understanding, Special Fund Agency Detail, Special Fund Description by Agency, Correspondence

STAFF:

William C. Smith, Interim Chief of Police, William.Smith@richmondgov.com

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

Matthew E. Peanort, III, Acting Financial Services Manager, Matthew.Peanort@richmondgov.com

O&R Request

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GiTonya L. Parker, Management Analyst, Senior, GiTonya.Parker@richmondgov.com



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

DATE: July 12, 2108

TO: Alfred Durham, code 3096 ✓
Chief of Police

FROM: Roger A, Russell, code 1632 ✓
Acting Deputy Chief, Patrol Services

SUBJECT: **ATTORNEY GENERAL OFFICE – EQUIPMENT REQUEST FOR PUBLIC HOUSING**

ISSUE:

Reimbursable funds provided by the Office of the Attorney General to purchase equipment.

DISCUSSION:

The Richmond Police Department currently has Neighborhood Community Officers assigned to four of the city's largest public housing communities. There are 14 officers assigned to these neighborhoods on a full time basis.

During the 1st half of 2018, there have been 66 violent crimes in these communities. This includes 6 homicides and 16 aggravated assaults involving firearms.

Impacted Communities

Creighton Court

- o 458 Units
- o 1362 registered occupants

Gilpin Court

- o 783 Units
- o 2042 registered occupants

Mosby Court

- o 458 Units
- o 1362 registered occupants

Whitcomb Court

- o 447 Units
- o 1309 registered occupants

Requested Items

- Mobile Video System – Street level gun violence and illegal narcotics trafficking is an ongoing issue in public housing communities. A covert mobile video system that is housed in an undercover vehicle is needed to address community complaints and support police operations. These cameras provide valuable evidentiary support for police investigations. Mobility is important as offenders often change locations to circumvent police activity.

Fero, Mark

From: Russell, Roger A. - Police Major <Roger.Russell@richmondgov.com>
Sent: Thursday, August 02, 2018 3:13 PM
To: Fero, Mark
Subject: RE: Attorney General Request.doc

He did and we agreed on the requested items

From: Fero, Mark [<mailto:MFero@oag.state.va.us>]
Sent: Thursday, August 02, 2018 3:02 PM
To: Russell, Roger A. - Police Major
Subject: FW: Attorney General Request.doc

Major,

I spoke with Chief and he said he is okay with the purchase of this equipment. He said he spoke to you previously.

Mark Fero
Office of the Attorney General
202 North 9th Street
Richmond, Virginia 23219
(804) 786-7257 Office
(804) 972-4297 Mobile
MFero@oag.state.va.us

From: Russell, Roger A. - Police Major [<mailto:Roger.Russell@richmondgov.com>]
Sent: Thursday, July 12, 2018 5:31 PM
To: Fero, Mark
Subject: Attorney General Request.doc

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MEMORANDUM OF UNDERSTANDING

**COMMONWEALTH OF VIRGINIA, OFFICE OF THE ATTORNEY GENERAL
AND
CITY OF RICHMOND POLICE DEPARTMENT**

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made this 3rd day of November, 2018, by and between the COMMONWEALTH OF VIRGINIA, OFFICE OF THE ATTORNEY GENERAL ("Commonwealth" or "OAG") and the CITY OF RICHMOND POLICE DEPARTMENT ("Department").

1. **PURPOSE:** This MOU sets out the terms of an understanding between the OAG and the Department for the use of funds to be administered on a reimbursement basis for the purpose of providing supplemental financial support in the amount of \$49,499 for the Departments immediate law enforcement equipment needs as outlined in the proposal submitted to the OAG.

2. **TIME FRAME:** These funds shall be spent in no more than 6 months from the execution of this MOU. Reimbursements will be made within 30 days of receipt of a valid invoice.

3. **BACKGROUND:** On May 7, 2012, Abbott Laboratories ("Abbott") entered into a plea agreement with the United States, pleading guilty to one count of violating Title 21, United States Code, Sections 331(a), 333(a)(1), 352(a), and 352(f)(1), related to the introduction and delivery into interstate commerce the misbranded drugs Depakote, Depakote ER, and Depakote Sprinkle. *United States v. Abbott Laboratories*, Case No. 1:12-CR-00026 (W.D. Va.) (Judgment entered October 2, 2012). These funds are part of a redistribution of the returned funds from law enforcement entities in the state of Virginia to be used for law enforcement purposes as outlined in a July, 8, 2018 letter from the Department of Treasury Executive Office of Asset Forfeiture.

4. **PARTIES:** The OAG's Medicaid Fraud Control Unit was the lead investigative agency in the Abbott case. As a result of the plea agreement, the OAG was awarded an equitable share of asset forfeiture funds.

The Richmond Police Department submitted a proposal to the OAG to address violent crime and quality of life issues that are having a negative effect in the City's public housing neighborhoods. The items and the proposal are a law enforcement purpose on October 2, 2018.

5. **TERMS AND CONDITIONS:**

a. The OAG will reimburse the Department up to \$49,499.00. *

b. **Mobile Video System –** Street level gun violence and illegal narcotics trafficking is an ongoing issue in public housing communities. A covert mobile video system that is housed in an undercover vehicle is needed to address community complaints and support police operations. These cameras provide valuable evidentiary support for police investigations. Mobility is important as offenders often change locations to circumvent police activity.

Pole Cams (mobile) – The Richmond Police Department utilizes fixed video cameras in many public housing communities. The ability to rapidly deploy and change camera locations currently does not exist and a mobile system would allow

the Department to better combat crime as offenders move into locations that they believe are not being surveilled. This type system is needed in support of the requested covert vehicle camera as many times a vehicle cannot be parked in the concerned areas and the height of the camera provides a better vantage point (as well as a better cellular signal). A self-charging battery system for each camera will allow for deployment of the cameras over a longer period of time.

Safety Rescue Shields – As noted, gun related violence is a major concern of the Richmond Police Department. The ability of officers to safely enter these communities is important for responding officers as well as victims. The shields are needed to provide increased ballistic safety when entering an area where there is the potential for addressing armed suspects or there is a need to rescue injured citizens.

Medical Go Bags: These mobile trauma kits provide officers with the ability to administer immediate lifesaving aid. These bags will only be issued to officers who are basic emergency medical technicians or paramedics. One bag will go to each precinct and IPU will receive more.

- c. The Department agrees to at all times be in compliance with the Agreement, Certification and Audit provisions of the joint *Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies* ("Guide").
- d. Invoices shall contain a remittance address, contact information, an invoice number, date, amount requested, Tax ID, a description of expenses and supporting documentation as necessary. State travel regulations must be followed.
- e. The Department shall submit a progress report if requested by the OAG and only if providing such report would not compromise any criminal investigations and is not overly burdensome on the Department.

6. **SUPPLANTING:** The Department agrees that funds made available under this transfer 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 law enforcement activities. Federal asset forfeiture funds must be used to supplement existing funds for program activities and must not replace funds that have been appropriated for the same purpose.


7. **RECORDKEEPING AND AUDITS:** The Department will maintain complete records concerning all requests for disbursements from the federal asset forfeiture fund, and all payments made from the fund, and report on the covered activities on an annual basis. The Department shall retain all books, records, and other documents relative to expenditures permitted by this MOU in accordance with record retention policy and or Federal and State Auditing Guidelines. The OAG, its authorized agents, and or state auditors shall have full access to and the right to examine any of said materials during said period. The Department will cooperate in any audit of the fund by the Virginia Auditor of Public Accounts or the United States Department of Treasury.

8. **PREVAILING LAW:** This MOU shall be construed, interpreted and enforced according to the laws of the Commonwealth of Virginia.

9. MODIFICATIONS: Any amendments to or modifications of this MOU must be in writing and signed by the parties.

Witness the following signatures:


**COMMONWEALTH OF VIRGINIA,
OFFICE OF THE ATTORNEY GENERAL**



Name: Leigh Archer
Title: Director of Administration

2/13/19
Date

CITY OF RICHMOND POLICE DEPARTMENT



Name: William C. Smith
Title: Interim Chief of Police

2-12-19
Date

SPECIAL FUND AGENCY DETAIL

SPECIAL
FUNDS

Agency	2016 Actual	2017 Actual	2018 Adopted	2019 Adopted	2020 Approved
Planning and Development Review					
Repay Rehab Loan Fund	37	-	-	-	-
Permitting & Insp Tech Renewal Fund	532,474	197,324	289,000	289,000	289,000
Total Agency Special Funds	\$ 532,512	\$ 197,324	\$ 289,000	\$ 289,000	\$ 289,000
Police					
Federal Asset Forfeiture	397,222	-	300,000	300,000	300,000
State Asset Forfeiture	35,415	54,227	200,000	500,000	500,000
Internet Crimes Against Children	44,776	38,441	65,000	72,000	72,000
K-9 Facility	(9,851)	-	-	-	-
Edward Byrne Justice Assistance Grant (JAG)	127,207	141,884	200,000	200,000	200,000
DMV Traffic Enforcement & Safety Initiative	57,904	161,010	149,800	100,000	100,000
TRIAD	48	2,382	2,750	3,025	3,025
Washington/Baltimore HIDTA	51,882	29,719	58,771	58,771	58,771
GRIP - Gang Reduction Intervention Program	12,886	20,134	-	-	-
Cal Ripken	4,036	1,429	10,000	5,000	5,000
VDEM/Homeland Security	57,676	-	220,000	150,000	150,000
Project Safe Neighborhood (OAG)	-	-	82,500	82,500	82,500
Department of Criminal Justice Services	-	-	82,500	200,000	200,000
COPS	-	-	100,000	100,000	100,000
Virginia Rules Camp	-	-	7,000	5,000	5,000
OneTime Equipment/Training Grant - Byrne	-	9,500	-	-	-
Police Department Project/Grants	2,268	3,058	7,000	-	-
LISC - Midnight Basketball	-	-	-	20,000	20,000
Technology Innovation for Public Safety (TIPS)	-	-	-	300,000	300,000
LIFE Program	-	-	-	73,440	73,440
Total Agency Special Funds	\$ 781,468	\$ 461,784	\$ 1,485,321	\$ 2,169,736	\$ 2,169,736
Public Works					
DPW Led Traffic Lights	1,004	-	-	-	-
Urban and Community Forestry	2,900	10,542	10,000	10,000	10,000
Litter Control Act Grant	24,634	11,223	35,000	35,000	35,000
Richmond Employee Trip Generation Reduct	177,824	108,479	300,000	300,000	300,000
Parking Management	(70)	-	-	-	-
Winter Storm Events	1,763,378	1,387,974	1,000,000	1,000,000	1,000,000
Main Street Station Operating	724,631	1,054,368	-	-	-
Recycling Partnership	353,377	-	-	-	-
DPW Special Parking District	110,314	-	-	-	-
Street Maintenance	-	15,879.19	34,286,290	30,656,335	32,537,728
Transportation	2,652	-	-	-	-
Canal Walk	459	-	-	-	-
Total Agency Special Funds	\$ 3,161,104	\$ 2,588,465	\$ 35,631,290	\$ 32,001,335	\$ 33,882,728

SPECIAL FUND DESCRIPTION BY AGENCY

SPECIAL
FUNDS

PLANNING AND DEVELOPMENT REVIEW

Description

Permitting and Inspections Technology Renewal Fund

This program is funded through a 5% permit fee for the purpose of upgrading and/or replacing applications and other relevant technology to improve business processes to enhance customer service, as well as plan and project review and approval.

POLICE

Description

Federal Asset Forfeiture

This fund was established to permit the Richmond Police Department to participate in the United States of Justice Program to share assets seized as a result of investigations of drug related crimes. Funds are distributed on a percentage basis to the Richmond Police Department, federal law enforcement and any other local or state agencies participating in the investigations.

State Asset Forfeiture

This fund was established to permit the Richmond Police Department to participate in the Virginia Department of Criminal Justice Service Program to share assets seized as a result of investigations of drug related crimes. Funds are distributed on a percentage basis to the Richmond Police Department, federal law enforcement and any other local or state agencies participating in the investigations.

Internet Crimes Against Children

These funds are used to assist local, state and federal partners with locating, arresting and prosecuting those who commit crimes against children. Funds will be used for equipment purchases and overtime as they directly relate to the apprehension and persecution of crimes against children through the internet.

Edward Byrne Justice Assistance Grant (JAG)

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states, tribes, and local governments to support a board range of activities to prevent and control crime based on their own local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice for any one or more of the following purpose areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment programs; and 6) planning, evaluation, and technology improvement programs.

TRIAD

The Department of Criminal Justice Service provided funding to RPD for crime prevention activities. The activities include monthly meetings, field trips, training and dissemination of literature for seniors.

Washington/Baltimore HIDTA

Funds from the Washington/Baltimore High Intensity Drug Traffic Area (HIDTA) program are used to address drug-related issues by supporting and collaborating with prevention partners, treatment and law enforcement.

Cal Ripken

The Cal Ripken, Sr. Foundation provides grant funding for the Badges for Baseball program. Youth and volunteers (RPD personnel) meet for six to eight weeks to learn baseball fundamentals and the Healthy Choices program curriculum. Funding is also provided to purchase baseball equipment, team apparel and pay overtime for officers.

SPECIAL FUND DESCRIPTION BY AGENCY

SPECIAL
FUNDS

POLICE

Description
VDEM/Homeland Security The purpose of this fund is to assist local, state, and federal partners with prevention and response to acts of terrorism within the Richmond region. Funding will provide training and equipment to RPD to assist local, state, and federal partners in proactive security efforts and response to acts of terrorism in the Richmond region through mutual aid agreements/Equipment includes bomb detection and disposal equipment, mobile command vehicles, etc. RPD and its partners have identified both hard and soft targets that may be prone to an attack.
Project Safe Neighborhood (OAG) Funds are used to address drug-related issues by supporting and collaborating with prevention partners, treatment, and law enforcement.
Department of Criminal Justice Services The purpose of this special fund is to support needed law enforcement equipment, leadership development, community outreach, and gang reduction and intervention programs.
COPS The purpose of this special fund is to provide prevention and intervention services, resources, and programs to assist in the diversion of youth from the criminal justice system and to support youth programs and initiatives.
VA Rules Camp The Virginia Rules Camp is a law-themed summer day-camp experience for youth hosted by Virginia Law enforcement agencies. Virginia Rules camps offer young people a fun, healthy way to spend a summer week, interactive instruction on Virginia law, and the opportunity to build positive relationships with law enforcement officers that serve their communities.
LISC - Midnight Basketball Funds are used to support local basketball tournaments in an effort to reduce crime in some of Richmond's target areas.
Technology Innovation for Public Safety (TIPS) Funds Department of Justice, Office of Justice Programs, and Bureau of Justice Assistance are used to support innovative technology implementation to address increases in crime.
LIFE Program Funding provided to support ongoing partnerships with the Richmond Police Department. Funding includes but is not limited to the LIFE Program, Research and Program Evaluation and Community, Youth and Intervention Services programs and projects.

PUBLIC WORKS

Description
Urban and Community Forestry This special fund will provide resources for the Urban Forestry Division to undertake projects throughout the City of Richmond.
Litter Control Grant The purpose of this grant is to address the problem of litter in the city. Funding is based on city population and used for in-school education, citywide promotional activities and neighborhood cleanups.
Employee Trip Reduction Program Grant funds provide GRTC transit passes as well as vanpool subsidies for City of Richmond employees in an effort to reduce congestion and the need for parking. Employee participation is 19%. The program is funded 100% by grants until the last quarter of FY13 which accounts for the local request.