




MEMORANDUM

Date: January 26, 2018

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

From: C.H. Huckelberry
County Administrator 

Re: **Additional Information - February 6, 2018 Board of Supervisors Agenda Item Regarding the Anti-Racketeering Revolving Fund Grant Program for Community Based Programs**

I previously transmitted the following information to you with a recommendation for approval since all the programs appear to compliment the County outside agency-related grant programs.

A request was made for additional information regarding how the process was carried out by the County Attorney. The attached January 25, 2018 memorandum from Legal Administrator David Smutzer sets forth the background announcement of applications, the review process and post-award evaluation conducted.

Also attached is a list of those who applied for the grant but did not receive one.

I continue to recommend the Board of Supervisors approve these proposed Anti-Racketeering Revolving Fund grants to various nonprofit agencies for community-based programs, consistent with law enforcement efforts.

CHH/anc

Attachment

c: The Honorable Barbara LaWall, Pima County Attorney
Jan Leshar, Chief Deputy County Administrator



OFFICE OF THE
Pima County Attorney

32 NORTH STONE AVENUE
SUITE 1400

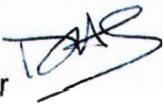
Tucson, Arizona 85701-1412

(520) 740-5600

Barbara LaWall
PIMA COUNTY ATTORNEY

MEMORANDUM

TO: C.H. Huckelberry
County Administrator

FROM: Dave Smutzer 
Legal Administrator

DATE: January 26, 2018

RE: Pima County Anti-Racketeering Revolving Fund Grant Program-Denied
Applications

In response to our March, 2017 announcement as outlined in my January 25, 2018 memorandum, there were twelve agency applications that were not approved for funding (Attachment). Each agency was notified in January 2018 that its application was not approved for funding from the Pima County Anti-Racketeering Revolving Fund Grant Program.

Attachment

C: Jan Leshar, Chief Deputy County Administrator
Barbara LaWall, Pima County Attorney
Amelia Cramer, Chief Deputy County Attorney

PCARF Grant Program
Denied Applications

Organization	Amount Requested
100 Club of Arizona	\$5,000
The Arizona Bilingual Magazine	\$6,000
Arizona Gang Investigators Association	\$1,000
Arizona Minority Bar Association	\$2,500
Arizona Narcotics Officers Association	\$2,500
Arizona Women's Initiative Network	\$5,000
Dancing in the Streets, Arizona	\$5,000
Erik Hite Foundation	\$5,000
Greater Tucson Leadership	\$1,000
Pueblo Gardens Neighborhood Assoc.	Not Specified
Sun Sounds of Arizona	\$1,000
Tucson Hispanic Chamber Foundation	\$5,000




Barbara LaWall
Pima County Attorney

Pima County Attorney's Office
32 N. Stone Avenue, #1400
Tucson, AZ 85701

Phone: 520-724-5600
www.pcao.pima.gov

MEMORANDUM

To: Jan Leshar, Chief Deputy County Administrator
cc: C.H. Huckelberry, County Administrator
Barbara LaWall, County Attorney
Amelia Cramer, Chief Deputy County Attorney
From: David Smutzer, Legal Administrator 
Date: January 25, 2018
Re: Pima County Anti-Racketeering Revolving Fund Grant Program

Background and Overview

The Pima County Attorney's Anti-Racketeering Revolving Fund (ARF) Grant Program uses a portion of funds, which have been determined to be the proceeds of crime and have been ordered forfeited by the Pima County Superior Court, to support law enforcement efforts and community-based programs consistent with law enforcement efforts. These funds are regulated by the U.S. Department of Justice guidelines and by Arizona state statutes. The use of the funds is generally restricted to law enforcement purposes. Additionally, funds to support programs that address gang prevention, substance abuse prevention, and education or community-based programs whose missions are supportive of and consistent with a law enforcement effort, policy, and/or initiative are expressly permitted.

In 1991, the Pima County Attorney's Office created and implemented the ARF Grant Program and uses these funds to make competitively awarded grants to non-profit agencies, schools, churches, youth organizations, and units of local government. With a focus primarily on prevention, the ARF Grant Program supports a wide range of organizational programs and projects that provide effective approaches, strategies, and proven solutions to address the issues and problems affecting children and youth, especially disadvantaged youth, in our community.

Research has shown that programs that keep children and youth active, engaged, in school, and off the streets prepare them to become productive citizens and are proven to reduce and prevent crime. The ARF Grant Program continues to fund innovative, grassroots, and hands-on community-based programs/projects directed primarily at elementary, middle, and high school youth.

In 1993, the ARF Grant Program was recognized as a semi-finalist by the prestigious *Innovations in State and Local Government Program* jointly operated by the Ford Foundation and the Kennedy School of Government at Harvard University.

Announcement and Applications

In March 2017, correspondence (Attachment 1) was sent to over 100 local agencies using a database of organizations that had either previously received funding or had

expressed interest in receiving notification in the next award cycle. Agencies were notified that a new process for allocating funds from the ARF Grant Program had been implemented, including modified application forms (Attachment 2). The revised applications forms require the Tax I.D. Number to ensure the recipient is a qualified non-profit entity, the signature of the Executive Director/CEO of the organization, and if approved, the signature of the Chief of the law enforcement agency, which in this case is the Pima County Attorney. Additional changes include that all allocations will now be made annually, only once at the beginning of the calendar year, rather than on a rolling basis throughout the year.

Criteria and Evaluation

Two tiers of priorities were established for the current ARF Grant Program award period. The first priority was the funding of community-based agencies that provide direct law enforcement or victim-related services, such as MADD, the Southern Arizona Children's Advocacy Center, and Emerge! Center Against Domestic Abuse.

The second priority was to fund community-based, non-profit agencies providing programs supportive of and consistent with law enforcement efforts, particularly those providing services to disadvantaged or at-risk youth. Funding limitations were also established, with priority one funding capped at \$10,000 annually, and priority two funding capped at \$5,000 annually, and awarded in amounts of \$1,000, \$2,500, or \$5,000.

Each application undergoes several layers of administrative and legal review. The administrative committee reviews the applications verifying completeness, provision of direct services, 501c(3) tax-I.D. certification, and Executive Director/CEO signatures. The second review by the Forfeitures Unit Supervising Attorney provides the initial legal review to ensure that the program purpose/use is consistent with state law and/or federal guidelines. The approved applications are subject to a third review by the County Attorney's Chief Deputy. Once all applications are reviewed and approved at all three levels, they are then forwarded to the County Attorney for final review and approval. If necessary, requested allocations are reduced in order to allocate funding to more agencies or multiple programs.

Post-Award Evaluation

Once funds are awarded, a representative from the Pima County Attorney's Office will conduct at least one on-site visit annually at each agency to determine that the agency is in compliance and the funds granted are used for the purposes set forth in the application.

Attachments

ATTACHMENT 1

March 15, 2017

«First_Name» «Last_Name», «Title»
«Organization»
«Address»
«City», «State» «Zip»

Re: Pima County Attorney's Office Anti-Racketeering Fund Grants

Dear «First_Name»:

This is to notify you that our office has implemented a new process for making grant allocations from the Pima County Attorney's Anti-Racketeering Funds. There are several changes, including modified forms and some reductions in grant amounts due to significantly decreased funds.

Our grant allocations will now be made annually, only once at the beginning of the fiscal year (July 1), rather than on a rolling basis throughout the year. We are implementing a **competitive grant application process opening April 1, 2017 with applications due on or before May 15, 2017.**

Enclosed are the application form and certification we are asking you to complete if you are seeking anti-racketeering grant funding to your agency for the 2017/2018 fiscal year. *(Please write "Pima County Attorney" in the space near the top of the first page labeled "Law Enforcement Agency.")*

Our first priority will be to fund community-based agencies providing direct law-enforcement or victim related services and programs, and second will be to fund community-based non-profit agencies addressing crime prevention at the local level, particularly those providing services to at-risk youths.

Additionally, funding caps have been necessitated by decreased funds. For agencies providing law-enforcement and victim related services, annual funding will be capped at \$10,000. For community based non-profit agencies, annual funding is currently capped at \$5,000, and program grants will be awarded in varying amounts of up to \$1,000, \$2,500, or \$5,000.

Please note that a grant to your agency may be awarded to support a single program or multiple programs. Each agency should submit only one application form setting forth the total amount requested for the fiscal year in the box at the top of the first page. You may include in the narrative responses on pages one and two descriptions of multiple programs along with the individual amounts requested for each. If more space is needed to respond to the narrative questions, an addendum may be attached to the application.

Please contact Pat Wiedhopf, at (520) 724-4096 to discuss any questions you may have with regards to completing the application process, or the form and certification. Thank you for the important work you do.

Sincerely,

Barbara LaWall
Pima County Attorney

/pw
Encl.

COMMUNITY ORGANIZATION APPLICATION
FOR FUNDING ASSISTANCE FROM PIMA COUNTY ANTI-RACKETEERING FUNDS

Community Organization <hr/>

The Pima County Anti-Racketeering Revolving Fund has been created by forfeiture of property that constituted the proceeds of crime or that was used or intended to be used to commit crime. **Use of the funds is restricted to law enforcement purposes**, however transfers to community-based programs, whose missions are supportive of and consistent with a **law enforcement** effort, policy, or initiative are permitted.

NOTE: A program may benefit the community generally, but still not qualify for Pima County Anti-Racketeering Revolving Fund funds. To qualify, a program must specifically involve law enforcement personnel or otherwise include specific content which extends or enhances the efforts of law enforcement in the community, such as assisting victims of crime, preventing crime including by providing programs for at-risk youth, deterring crime, rehabilitation of offenders, emergency response by law enforcement, protecting people and property from crime, reducing the effects of crime, etc.

Describe the community-based program for which funds are being sought and how the program benefits the community:

Specifically, what law enforcement effort, policy, and/or initiative of this agency does this program support in this community?

Describe in detail how this program is supportive of and consistent with this law enforcement agency's efforts, policies, and/or initiatives in the community. What elements of the program specifically enhance or extend the efforts of law enforcement in the community, and how does the program do this?

As specifically as possible, please indicate how the funds requested will be used by this program (that is, to purchase supplies, equipment, and/or services; covering costs of participants or attendees; etc. **Direct cash transfers or gifts are not permitted**):

CERTIFICATION BY COMMUNITY ORGANIZATION APPLICANT

Applicants for funds must certify in writing the following aspects of its background and compliance with Arizona and federal law and Department of Justice guidelines:

I, the undersigned head of the applicant entity, certify that:

- | | Yes | No |
|---|--------------------------|--------------------------|
| A. Applicant is a state, county, or local government department or agency; or applicant is a private, non-profit 501(c)(3) or (4) organization.
Tax I.D. Number: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| B. Applicant is primarily engaged in providing a program that is both community-based and supportive of and consistent with a law enforcement effort, policy, or initiative. | <input type="checkbox"/> | <input type="checkbox"/> |
| C. Applicant agrees to account separately for all anti-racketeering funds received. | <input type="checkbox"/> | <input type="checkbox"/> |
| D. Applicant agrees to utilize and apply standard accounting requirements and practices employed under state or local law for recipients of federal, state, or local funds and to provide documentation for any audit that may be performed by a governmental entity authorized to audit the use of such funds. | <input type="checkbox"/> | <input type="checkbox"/> |
| E. Applicant is in compliance with federal civil rights laws. | <input type="checkbox"/> | <input type="checkbox"/> |
| F. Applicant is in compliance with all other Arizona and federal laws that apply to applicant. | <input type="checkbox"/> | <input type="checkbox"/> |
| G. No officer, director, trustee, or fiduciary of the applicant has been convicted of a felony offense under federal or state law, or convicted of any drug offense. | <input type="checkbox"/> | <input type="checkbox"/> |
| H. Applicant agrees not to use funds for personal or political purposes. | <input type="checkbox"/> | <input type="checkbox"/> |
| I. Applicant agrees that funds will not be used for any purpose that would constitute an improper or illegal use under the laws, rules, regulations, or orders of the state or local jurisdiction in which the applicant is located. | <input type="checkbox"/> | <input type="checkbox"/> |

Print Name of Requesting Agency
Director

Signature of Requesting Agency
Director

I have reviewed the foregoing request, and based on the organization's certifications and the information provided by the organization, the recipient of the funds is a qualified entity and the program for which funds are sought is consistent with and supportive of a law enforcement effort, policy, and/or initiative of this agency. (If the funding is to be from DOJ equitable sharing sources, all additional requirements for use of such funds have also been fulfilled; Treasury funds may not be used for support of community-based programs.)

Print Name of Chief Law Enforcement
Officer

Signature of Chief Law Enforcement
Officer

Date _____