

DATE 5/7/19

ITEM NO. CC 16+17

Melissa Whitney

From: Stephen Fleming <[REDACTED]>
Sent: Sunday, May 5, 2019 8:04 PM
To: COB_mail
Subject: Board of Supervisors meeting input, May 7th

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

I am unable to attend Tuesday's board meeting, but I would like to voice my strong support for accepting the Operation Stonegarden funding for Pima County. As the county with the largest border with Mexico in the entire country, Pima has exceptional demands and responsibilities. The Federal government is doing the right thing by offering us financial support as well as a seat at the table to discuss changes to border management. To reject the Stonegarden funding (again) would increase the burden on Pima taxpayers, increase the demands on our public safety personnel, and eliminate Pima's opportunity to have a voice in the national discussion about the border.

I believe the recent modifications to allow reimbursement of indirect costs should reassure any supervisors who were concerned about the use of funds in the initial offer. Any further opposition by the board will be seen nationally as nakedly partisan, and Pima County will richly deserve the contempt of our peers around the country. I urge all members of the board to vote in favor of accepting Operation Stonegarden funds.

Stephen Fleming
371 N Joesler Ct
Tucson AZ 85716

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Melissa Whitney

From: Steve Diamond <[REDACTED]>
Sent: Sunday, May 5, 2019 8:22 PM
To: Richard Elias; Sharon Bronson; Ally Miller; Ramon Valadez; Steve Christy; Chuck Huckelberry; COB_mail
Subject: Operation Stonegarden Acceptance Conditions
Attachments: opsg conditions 2019 memo.pdf

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Greetings. The attached memo is for your consideration prior to voting on Tuesday whether to accept the OPSG grant.

As you all know, I stand firmly opposed to accepting the Stonegarden grant under any circumstances. I believe the constructive objectives can be accomplished with local funding and minus the onerous strings attached to OPSG.

However, if you're determined to accept the grant, I urge you to attach binding conditions that will help to mitigate its most harmful effects. This memo lists my suggestions.

Thank you for considering.

Steve Diamond

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Memorandum

Date: May 7, 2019

To: The Pima County Board of Supervisors

From: Steve Diamond

Re: **Conditions for Accepting Operation Stonegarden (OPSG) Grant for FFY 2018**

As you know very well, I stand firmly opposed to accepting the Stonegarden grant under any circumstances. Nothing has changed since the Board canceled the grant last year. The strings attached to accepting the grant are just as onerous and just as detrimental to public safety and to effective, trustworthy community law enforcement.

However, if this Board is determined to accept the grant this year, I urge you to include the following binding conditions.

1. Until the Board of Supervisors (BoS) votes to say that **all** of the conditions have been met, no funds will be disbursed to the Pima County Sheriff's Department (PCSD), and PCSD isn't authorized to spend any money that would later be reimbursed from OPSG funds. No other spending that would later be reimbursed from OPSG funds is authorized either.
2. Allocate all of indirect cost recovery amount to county healthcare expense reimbursement and local NGOs working with refugees, as specified in Administrator Huckelberry's memorandum "Federal Fiscal Year 2018 Operation Stonegarden Grant Award in the Amount of \$1,155,866 (Overtime & Fringe Benefits) \$595,600 (Equipment) \$13,120 (Travel) and \$50,000 (Mileage) for a Total Grant Award of \$1,814,586" dated May 7, 2019.
3. Reallocate 50% of OT + Fringe, or \$577,933, to humanitarian purposes as allowed in the Consolidated Appropriations Act, 2019, Division F, Title III, Section 305 (§305) and in the FEMA Grant Programs Directorate Information Bulletin No. 436, November 27, 2018 (IB 436). New OT + Fringe = \$577,933. "Humanitarian purposes" is defined in §305 as "related to providing humanitarian relief to unaccompanied alien children and alien adults accompanied by an alien minor where they are encountered after entering the United States." Further guidance in IB 436 says "any costs associated with the immediate care or transportation of unaccompanied children and families are allowable. These allowable costs include costs for food, water, hygiene products, medicine, medical supplies and temporary housing, as well as costs for transportation to and from temporary housing or to permanent housing."
4. Reallocate 100% of LPR purchase price, or \$33,600, to humanitarian purposes. No LPRs will be purchased.

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5. Total reallocation to humanitarian purposes under §305 and IB 436: \$611,533 – 33.7% of the total. The rest of the approved grant, amounting to \$1,203,053, remains allocated as specified in the approval letter, except that its allowable use may be changed when the Operations Orders are amended as specified in (6), below.
6. County Administrator and PCSD will collaborate to draft an amendment to the original Operations Orders, with details of how the funds will be used, including revised mileage (which may free up additional funds for humanitarian purposes) and including details of humanitarian expenses to which that portion will apply. Amendment will include a mandate to end all pretextual traffic stops and a mandate to end the policy of saturating an area and conducting zero-tolerance traffic stops.
7. The BoS must approve the amendment to the Operations Orders. If not, that triggers automatic rejection of the entire grant.
8. Submit the amendment to the Arizona Department of Homeland Security (AZDOHS). If they fail to approve within 60 days, that triggers automatic rejection of the entire grant.
9. As specified in IB 436, work with AZDOHS to submit the amendment to the US Border Patrol sector, US Border Patrol Headquarters, and FEMA Grant Programs Directorate. If they do not all approve the amended Operations Orders, that triggers automatic rejection of the whole grant.
10. After 7, 8, and 9 are met, the BoS must vote again before the funds can be disbursed to PCSD or to any other agencies (in the case of the humanitarian portion). They can still reject the whole grant at this point without any funds having been spent. (This allows for any tinkering to the Operations Orders that may happen in 8 or 9.)
11. The Pima County Sheriff agrees to stop cross-deputizing any federal agents and (if possible) to rescind all previous cross-deputizations. If it is discovered that the sheriff continues cross-deputizing or (if previous deputizations are rescinded) that federal agents continue to operate as if they were certified PCSD deputies, the PCSD portion of OPSG is cancelled effective immediately and the unspent remainder of OPSG funds assigned to PCSD are forfeit to AZDOHS.
12. The Sheriff agrees to terminate with written notice to ICE the Memorandum of Understanding between ICE and PCSD dated February 25, 2008, and the 2014 Memorandum of Agreement, authorizing PCSD personnel to identify and process immigration violators under section 287(g) of the Immigration and Nationality Act.
13. The County Administrator and the BoS agree to reassign Spencer Graves to work with the Community Law Enforcement Partnership Commission (CLEPC), to assign a staff person to observe PCSD, and to reposition the CLEPC under the Grants Management and Innovation department (GMI).

14. The Sheriff agrees to comply promptly and fully with data requests from the CLEPC.
“Promptly” is defined as within 10 working days. “Fully” is defined as to the satisfaction of the CLEPC and the GMI. If PCSD ever fails to fulfill these conditions, that triggers automatic freezing of all OPSG funds assigned to PCSD. If the situation is not remedied within another 10 working days, the PCSD portion of OPSG is cancelled effective immediately and the unspent remainder of OPSG funds assigned to PCSD are forfeit to AZDOHS.
15. The Sheriff agrees that he is a member of the CLEPC *ex officio* and will make best efforts to attend all commission meetings.
16. The Sheriff agrees to respond promptly and candidly to OPSG questions from the CLEPC, including but not limited to questions about OPSG operations details and policies. “Promptly” is defined as within 10 working days. “Candidly” is defined as to the satisfaction of the CLEPC and the GMI. If the sheriff ever fails to fulfill these conditions, the PCSD portion of OPSG is cancelled effective immediately and the unspent remainder of OPSG funds assigned to PCSD are forfeit to AZDOHS.

Melissa Whitney

From: Richard Hernandez <[REDACTED]>
Sent: Monday, May 6, 2019 9:57 AM
To: COB_mail
Subject: Stonegarden Vote

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action such as clicking on a link or opening an attachment.

MAY 06 15:09:57 PCD CLK (F RD) *ml*

Pima County Board of Supervisors;

Good Morning. For the record my name is Richard Henandez. I am a resident, tax payer and the voice of fair & honest goverment in our community.

When the top cop of Pima County Arizona is misleading and simply put, lieing to all of us that is cause for grave concern to all of us.

I was present at the last meeting of the appointed Stonegarden commission. Mark Napier out right mislead the commission. I have to thank several Commisioners for being deligent and protecting me/we the people of Pima County.

I could spend lots of hours pointing out so many false comments. When confronted with the truth he sprinted out the door. That was confirmation he knew he was caught being a simply put, LIAR.

One of the issues is requirement that his Departent must be fully staffed. I and other shared that Patrol (uniform Deputies) that protect us has authorized 239 Deputies. How many do we have on the street ? Only 206. That means less than 80%. I also pointed out that Administration (17 Lt ; 8 Capt., ; 3 Bureau Chiefs; 1 Chief Deputy) are all filled. In summory 100% Administration and significant lack of patrol who you/me/we depend on to serve and protect.

In a recent email Napier told all his Deputies he has a surplus of over 4 million dollars. This was due to several factors mostly not filling vacancies.

Did you know that we loose about one Deputy every pay period. Evem with new class of recruits that still a net negative. Even a fool understands that is clear manifistation of serious moral issues.

Now Napier has given Sharon Bronson a offer of get her special project in Ajo Az., completed with offer to get US officials to allow Chuck Huckleberry to take some off those funds. Allow me to ask why the incentive (could be referred to asa bribe) needed? If this grant is used properly he will help oi mem & women in uniform.

I will close in stating we do need the funds but can you trust Mark Napier with how these funds are used? Our community who the Board works for, has to understand that used wrongfully it will ignite more unrest. Who needs that?

I support our hard working Deputies. I do not trust Mark Napier. That i will equates to why not once but twice the VOTERS have turn down bond to roads. It is a matter of TRUST.

In short time we will be habing elections for Board what will be your position ? Trust, integrety, honesty, transparency those arethe issues and i assert Mark Napier has little of them.

Richard Hernandez
