



BCC Mtg. Date: November 15, 2016

Date: October 27, 2016

TO: Mayor Teresa Jacobs  
-AND-  
Board of County Commissioners

FROM: Cornita A. Riley, Chief, Orange County Corrections Department  
*B.A. Bryan Holt on behalf of Chief Riley*

CONTACT PERSON: Frank A. Priola, OCCD Fiscal Manager, 407-836-3511

SUBJECT: Consent Agenda Item – November 15, 2016  
Approval of Grant Award

The Orange County Corrections Department has applied for and received funding from the U.S. Department of Justice, Bureau of Justice Assistance under the State Criminal Alien Assistance Program. This program reimburses eligible local governments for costs incurred for the incarceration of undocumented criminal aliens. This is the fifteenth year that the Corrections Department has applied for and received funding. The current year's award is \$67,542.

**ACTION REQUESTED:**

- **Approval of U.S. Department of Justice, Bureau of Justice Assistance State Criminal Alien Assistance Program Grant Number: 2016-AP-BX-0421 for FY 2016 in the amount of \$67,542 for reimbursement of costs incurred for the incarceration of undocumented criminal aliens. No local match is required.**

CAR/li

cc: Dr. Ralls, Deputy County Administrator  
Bryan Holt, Deputy Chief, Security  
Paulette Julien, Deputy Chief, Administration

File

Attachments



**FY 2016 State Criminal Alien Assistance Program 2016-H1091-FL-AP**



OMB Number: 1121-0243  
Expires: 02/29/2004

[SCAAP Help](#)

Grant Number: 2016-AP-BX-0421

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Jurisdiction: Orange County

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Vendor Number: 596000775

Award Amount: \$67,542

**Fiscal Year 2016 Payment Acceptance and Electronic Transfer of Funds**

The Bureau of Justice Assistance (BJA) has completed its review of your facility, inmate, and correctional officer data related to the State Criminal Alien Assistance Program (SCAAP). The Bureau of Immigration and Customs Enforcement has vetted the inmate records, and an award amount has been calculated.

In accepting this award, you understand that BJA reserves the right to take appropriate administrative action, including intensive monitoring, repayment action, or adjustment to future payments, to resolve data discrepancies, errors, or audit findings related to any information reported in your application.

Applicants are now required to accept awards online within 45 calendar days of award notice, in accordance with the Office of Justice Programs (OJP) Financial Guide, Part II, Chapter 2, Acceptance Procedures requiring acceptance/drawdown of awards with 45 days of notice of award, and Part IV, Chapter 2, section 16.606, State Criminal Alien Assistance Program (SCAAP) requiring an "expeditious draw-down of payments."

Jurisdictions accepting SCAAP awards are not required to submit financial or progress reports to OJP. For FY 2009 SCAAP awards, the Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162, Title XI) requires that all SCAAP funds be used for correctional purposes only. Please see the use of funds list and certification below. With your acceptance (by clicking on the Accept button below) of SCAAP's terms, conditions, and award amount, OJP will initiate an electronic payment in that amount to your bank account of record, as verified through the on-line SCAAP registration process and in accordance with applicable E-Government rules and requirements.

All issues related to the electronic transfer of funds or the bank account of record must be referred to the OCFO Customer Service Center at 800-458-0786. Please allow 15 business days for the electronic payment process to be complete before contacting OCFO. Please have the grant number, amount, and vendor information (noted above) available when you call.

**FY 2016 SCAAP Use of Funds List**

- Construction ---
- Construction for inmate housing, inmate programs, prison industries in ADA compliance
- Training/Education for offender ---
- Specific trade employment skills
- GED testing
- Job Preparedness
- Training for corrections officers to help manage offender population ---
- Bi-lingual language skills
- Less than lethal technology training
- Diversity training

As the CEO or authorized designee of this jurisdiction, I understand the guidelines and requirements as associated with the previous statements and agree to abide by them in all matters involving the FY 2016 State Criminal Alien Assistance Program.



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## STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP)

**[NEW! Click here for a Question & Answer \(Q&A\) document released on October 6, 2016 that outlines updated information relative to the 8 USC, Section 1373 requirements.](#)**

The new Q&A document is in addition the Q&A document released on July 7, 2016 (see below). Please read both the July 7, 2016 and October 6, 2016 Q&A documents.

**[Click here for a Question & Answer \(Q&A\) document released on July 7, 2016 that outlines updated information relative to the 8 USC, Section 1373 requirements.](#)**

### Notice to SCAAP Applicants:

Applicants for SCAAP funds are required to certify compliance with all applicable Federal laws at the time of application. In that regard, Members of Congress have asked the Department of Justice to examine whether jurisdictions with "sanctuary policies" (i.e., policies that either prevent law enforcement from releasing persons without lawful immigration status into Federal custody for deportation, or that prevent state or local law enforcement from sharing certain information with Department of Homeland Security (DHS) officials) are in violation of 8 U.S.C section 1373. For that reason, all applicants should understand that if OJP receives information that indicates that an applicant may be in violation of 8 U.S.C. section 1373 (or any other applicable federal law) that applicant may be referred to the

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DOJ Office of Inspector General for investigation; if the applicant is found to be in violation of an applicable federal law by the OIG, the applicant may be subject to criminal and civil penalties, in addition to relevant OJP programmatic penalties, including cancellation of payments, return of funds, participation in the program during the period of ineligibility, or suspension and debarment.

## EVENTS NEAR ME

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**NEW! FY 2016 SCAAP Awards**

Please see the 2016 awards amounts [here](#).

**2016 SCAAP Data:**

FY 2016 SCAAP Guidelines ([PDF](#))

FY 2016 ICE Country Codes ([PDF](#))

FY 2016 Inmate Data File Format ([PDF](#))

**FY 2015 SCAAP Awards**

Please see the 2015 awards amounts [here](#).

**Update on the Payments for "Unknown" Alien Status Inmate Days**

The Department of Justice (DOJ) will continue the reimbursements for the unknown category of SCAAP inmates for the FY 2015 SCAAP awards. SCAAP grantees are strongly encouraged to work collaboratively with DHS in the following programs in order to increase their inmate alien status verifications. Those programs include:

- 287(g) Program: The 287(g) program allows a state and local law enforcement entity to enter into a partnership with ICE in order to receive delegated authority for immigration enforcement within their jurisdictions. This allows the officials in the jurisdictions to match inmate records prior to the SCAAP application process. For more information, see the following web site: [www.ice.gov/news/library/factsheets/287g.htm](http://www.ice.gov/news/library/factsheets/287g.htm).
- The Law Enforcement Support Center (LESC): LESC is a single national point of contact that provides timely customs information and immigration status and identity information and real-time assistance to local, state and federal law enforcement agencies on aliens suspected, arrested or convicted of criminal activity. For more information, see the following web site: [www.ice.gov/LESC/](http://www.ice.gov/LESC/) or call 802-872-6000.
- Priority Enforcement Program (PEP): PEP begins at the state and local level when an individual is arrested and booked by a law enforcement officer for a criminal violation and his or her fingerprints are submitted to the FBI for criminal history and warrant checks. This same biometric data is also sent to U.S. Immigration and Customs Enforcement (ICE) so that ICE can determine whether the individual is a priority for removal, consistent with the DHS enforcement priorities described in Secretary Johnson's November 20, 2014 Secure Communities memorandum. Under PEP, ICE will seek the transfer of a removable individual when that individual has been convicted of an offense listed under the DHS civil immigration enforcement priorities, has intentionally participated in an organized criminal gang to further the illegal activity of the gang, or poses a danger to national security.
- <http://www.ice.gov/pep>

**Overview:**

BJA administers the State Criminal Alien Assistance Program (SCAAP) in conjunction with the Bureau of Immigration and Customs Enforcement (ICE) and Citizenship and Immigration Services, Department of Homeland Security (DHS). SCAAP provides federal payments to states and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and incarcerated for at least 4 consecutive days during the reporting period.

**Use of SCAAP Awards**

The Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162, Title XI) included the following requirement regarding the use of SCAAP funds: "Amounts appropriated pursuant to the authorization of appropriations in paragraph (5) that are distributed to a State or political subdivision of a State, including a municipality, may be used only for correctional purposes." Beginning with FY 2007 SCAAP awards, SCAAP funds must be used for correctional purposes only.

**FY 2007-2012 SCAAP Use of Funds List**

- Salaries for corrections officers
- Overtime costs
- Corrections work force recruitment and retention
- Construction of corrections facilities
- Training/education for offenders
- Training for corrections officers related to offender population management
- Consultants involved with offender population
- Medical and mental health services
- Vehicle rental/purchase for transport of offenders
- Prison industries
- Pre-release/reentry programs
- Technology involving offender management/inter-agency information sharing
- Disaster preparedness continuity of operations for corrections facility

**Legislation**

SCAAP is governed by Section 241(i) of the Immigration and Nationality Act, 8 U.S.C. 1231(i), as amended, and Title II, Subtitle C, Section 20301, Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322.

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FL	County of Sarasota	\$101,971.00
FL	County of Suwannee	\$8,946.00
FL	County of Volusia	\$29,757.00
FL	Hendry County	\$20,866.00
FL	Hernando County	\$3,229.00
FL	Highlands County	\$20,080.00
FL	Lake County	\$62,862.00
FL	Leon County	\$23,145.00
FL	Marion County Board of County Commissioners	\$17,097.00
FL	Miami Dade County	\$964,000.00
FL	Nassau County	\$3,046.00
FL	Okaloosa County BCC	\$6,873.00
FL	Orange County	\$67,542.00
FL	Osceola County Board of County Commissioners	\$53,123.00
FL	Palm Beach County	\$314,436.00
FL	Pasco County	\$36,938.00
FL	Pinellas County	\$81,533.00
FL	Putnam County	\$4,896.00
FL	Seminole County	\$6,649.00
FL	St Lucie County	\$87,079.00
FL	State of Florida	\$8,012,004.00
FL	Sumter County Board of County Commissioners	\$4,476.00
GA	Carroll County	\$8,762.00
GA	Cobb County	\$74,925.00
GA	County of Chatham	\$33,499.00
GA	County Of Clarke	\$19,788.00
GA	County of Clayton	\$78,641.00
GA	County of Douglas	\$12,777.00
GA	County of Floyd	\$17,232.00
GA	County of Gilmer	\$2,565.00
GA	County of Greene	\$508.00
GA	County of Houston	\$15,563.00
GA	County of Muscogee	\$24,191.00
GA	County of Whitfield	\$19,322.00
GA	Coweta County	\$27,382.00
GA	DeKalb County Georgia	\$142,507.00
GA	Forsyth County Government	\$16,833.00
GA	Fulton County Sheriff Office	\$31,265.00
GA	Georgia Criminal Justice Coordinating Council	\$629,899.00
GA	Gwinnett County Board of Commissioners	\$118,091.00
GA	Hall County	\$53,474.00
GA	Henry County Board of Commissioners	\$24,327.00
GA	Lee County Board Of Commisisoners	\$1,287.00
GA	Macon-Bibb County	\$3,453.00

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