

MULTOMAH COUNTY DISTRICT ATTORNEY'S OFFICE AND  
PORTLAND POLICE BUREAU  
INTERGOVERNMENTAL AGREEMENT  
CONTRACT NO. 4600007987

183495

#30001038

This is an Agreement between The City of Portland Police Bureau (PPB) and Multnomah County District Attorney's Office (MCDA).

**PURPOSE:**

The purpose of this agreement is to enhance efforts in combating gang activity and trends through prevention and targeted enforcement. The goal is to prevent youth crime, violence and gang involvement while developing a positive relationship among law enforcement, families and our young people to create safer communities and to improve livability in designated neighborhoods.

The parties agree as follows:

1. **TERM** The term of this agreement shall be from October 1, 2009 to September 30, 2011.
2. **RESPONSIBILITIES OF PORTLAND POLICE BUREAU.** PPB agrees to perform activities in accordance with Exhibit A which includes, but not limited to, (1) created youth engagement council that would meet monthly with the Gang Enforcement Team, office of Youth Violence Prevention, Brother's & Sister's Keepers and Emmanuel Community Services. PPB shall keep proper books of account and records on all activities associated with the Project Safe Neighborhood (PSN) including, but not limited to, books of account and records on expenditure of the Grant moneys and on the services financed in accordance with the attached program budget Exhibit A. PPB will maintain these books of account and records in accordance with generally accepted accounting principles and shall retain the books of account and records until the latter of three years after the ending date of this agreement or the Availability Termination Date.
3. **RESPONSIBILITIES OF MULTNOMAH COUNTY DISTRICT ATTORNEY'S OFFICE.** MCDA agrees to pay PPB the appropriate costs of overtime expenses for the officers participating and conducting activities of PSN and expenses associated with PSN as outlined in program budget Exhibit A. These expenses will be paid from the PSN funds passed through the District Attorney's Office. MCDA shall provide all official program fiscal grant reporting and activities to Bureau Justice Administration.
4. **TERMINATION** This agreement may be terminated by either party upon 30 day's written notice.
5. **INDEMNIFICATION** Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300, County shall indemnify, defend and hold harmless PPB from and against all liability, loss and costs arising out of or resulting from the acts of County, its officers, employees and agents in the performance of this agreement. Subject to the conditions and limitations of the Oregon Constitution and the Oregon Tort Claims Act, ORS 30.260 through 30.300 PPB shall indemnify, defend and hold harmless County from and against all liability, loss and costs arising out of or resulting from the acts of PPB, its officers, employees and agents in the performance of this agreement.
6. **INSURANCE** Each party shall each be responsible for providing worker's compensation insurance as required by law. Neither party shall be required to provide or show proof of any other insurance coverage.

MULTOMAH COUNTY DISTRICT ATTORNEY'S OFFICE AND  
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7. **ADHERENCE TO LAW** Each party shall comply with all federal, state and local laws and ordinances applicable to this agreement.
8. **NON-DISCRIMINATION** Each party shall comply with all requirements of federal and state civil rights and rehabilitation statutes and local non-discrimination ordinances.
9. **ACCESS TO RECORDS** Each party shall have access to the books, documents and other records of the other which are related to this agreement for the purpose of examination, copying and audit, unless otherwise limited by law.
10. **SUBCONTRACTS AND ASSIGNMENT** Neither party will subcontract or assign any part of this agreement without the written consent of the other party.
11. **THIS IS THE ENTIRE AGREEMENT** This Agreement constitutes the entire Agreement between the parties. This Agreement may be modified or amended only by the written agreement of the parties.
12. **ADDITIONAL TERMS AND CONDITIONS:**
- a. MCDA shall pay the PPB quarterly. PPB shall submit Financial Status Report/Reimbursement Requests on a quarterly basis as follows:

<u>Date Due</u>	<u>Reporting Quarter</u>
January 18	October 1, 2009 – December 31, 2009
April 18	January 1, 2010 – March 31, 2010
July 18	April 1, 2010 – June 30, 2010
October 18	July 1, 2010 – September 30, 2010
January 18	October 1, 2010 – March 31, 2011
April 18	January 1, 2011 – March 31, 2011
July 18	April 1, 2011 – June 30, 2011
October 18	July 1, 2011 – September 31, 2011

- b. PPB shall submit periodic Categorical Assistance Progress Reports to MCDA as follows:

<u>Date Due</u>	<u>Reporting Quarter</u>
April 18	October 1, 2009 – March 31, 2010
October 18	April 1, 2010 – September 30, 2010
April 18	October 1, 2010 – March 31, 2011
July 18	April 1, 2011 – September 31, 2011

- c. PPB shall submit periodic Performance Measurement Reports to MCDA as follows:

<u>Date Due</u>	<u>Reporting Quarter</u>
April 18	October 1, 2009 – March 31, 2010
October 18	April 1, 2010 – September 30, 2010

MULTOMAH COUNTY DISTRICT ATTORNEY'S OFFICE AND  
PORTLAND POLICE BUREAU  
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183495

April 18  
July 18

October 1, 2010 – March 31, 2011  
April 1, 2011 – September 31, 2011

d. The maximum payment under this agreement is not to exceed \$4,944.85.  
MCDA will pay expenses upon receipt of Financial Status Report/Reimbursement  
Request and appropriate back up documentation. Appropriate back up  
documentation includes copies of payroll reports and expenditure invoices.

MULTNOMAH COUNTY DISTRICT ATTORNEY'S OFFICE  
MULTNOMAH COUNTY, OREGON

By Michael D. Schrunk  
Michael D. Schrunk, District Attorney

Date 11-3-09

Reviewed:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY

By See email  
Assistant County Attorney

Date \_\_\_\_\_

TED WHEELER, COUNTY CHAIR  
FOR MULTNOMAH COUNTY

By Ted Wheeler PK  
County Chair/Designee

Date 11/13/09

PORTLAND POLICE BUREAU

By Sam Adams  
Mayor

Date \_\_\_\_\_

By Michael W. Keefe  
Auditor Program Manager (VIN) 1/12/10

Date 12/10/09

By \_\_\_\_\_  
Auditor

Date \_\_\_\_\_

APPROVED AS TO FORM

By Paula Menzies  
CITY ATTORNEY

Date 1/15/10



## CITY OF PORTLAND, OREGON



### Bureau of Police

Dan Saltzman, Police Commissioner

Rosanne M. Sizer, Chief of Police

1111 S.W. 2nd Avenue • Portland, OR 97204 • Phone: 503-823-0000 • Fax: 503-823-0342

Integrity • Compassion • Accountability • Respect • Excellence • Service

June 26, 2009

**EXHIBIT A**

Mr. Fred Weinhouse  
Assistant United States Attorney  
1000 SW Third Avenue  
Portland, OR 97204

Dear Fred:

I am pleased to submit a plan and proposed budget for the new 2009 PSN Anti Gang Initiative Funding and the following outlines the situation, activities and the performance measures we will use to evaluate our success using these monies. I have also included a budget for the use of this money.

### SITUATION

The City of Portland continues to experience a documented gang presence and on-going gang violence and its young people are regularly influenced by these members and events. A recent survey of 1671 young people in Portland, conducted by the Office of Youth Violence Prevention, shows an alarming figure of 46% reporting they have been recruited by gang members. In 2007, Portland began to show an increase in Gang Violence Response Team (GVRT) activation with 40 call outs and in 2008 the call outs increased to 68. A majority of these activations are a result of handgun violence.

Currently the Portland Police Bureau's Gang Enforcement Team has identified 51 gang sets and over 400 gang members in the Portland Metropolitan area with another 2000 to 3000 estimated in the area.

We are currently engaged in two programs with objectives to reduce gang membership. First, street outreach workers from Brother's & Sister's Keepers (BSK) and Emmaunel Community Services (ECS) who deploy outreach specialists on the street in hotspots to have face to face contact with at-risk youth. Second is the new Youth Referral Program to identify at-risk youth and services to assist them and their families. The goal is to reduce the number of youth involved with gangs.

### PROPOSAL

Community Policing: Making the Difference Together  
An Equal Opportunity Employer

Police Information Line: 503-823-4636, TTY (for hearing and speech impaired): 503-823-4736 Website: <http://www.portlandpolicebureau.com>

Name of Individual

Month, Day, Year  
Page 2

In a partnership between the United States Attorney's Office, the Portland Police Bureau's Gang Enforcement Team and Office of Youth Violence Prevention our proposal would be to engage and empower youth in our community through the development of a Youth Engagement Council. While this idea is new to gang enforcement, there are successful models to help guide us as we create such a model. Under this proposal, the newly created Youth Engagement Council would meet monthly starting in September with the Gang Enforcement Team, Office of Youth Violence Prevention, Brother's & Sister's Keepers and Emmaunel Community Services. The council would be made up of selected youth from within our community who have leadership, communication and relationship skills. This council would begin with training and information sharing sessions with the ultimate goals of being a youth led council.

### GOALS

- Open two-way communication with youth within our community
- Engagement of youth in gang related issues
- Empower youth to be part of the solution in gang related issues

### PERFORMANCE MEASURES

The performance measures we will use to evaluate our progress:

- The number of youth involved in the Youth Engagement Council (YEC)
- The number of youth involved in designated events (as we develop)
- The number of youth contacted by the Youth Engagement Council (YEC)

Sincerely,

CHRIS UEHARA  
Commander  
Tactical Operations Division


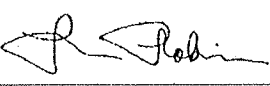

CTU/mwl

2009PSN/YEC

PSN Grant Budget Request  
Portland Police Bureau  
Gang Enforcement Team  
2009

“Youth Engagement Council”

Category	Budget
Supplies	\$2,000.00
Food / Beverages (meetings / events)	\$1,668.77
Personnel (overtime) 24 hours at officer salary	\$1,276.08

 <p>Department of Justice Office of Justice Programs Bureau of Justice Assistance</p>		<p>Grant</p>		<p>PAGE 1 OF 3</p>																	
<p>1. RECIPIENT NAME AND ADDRESS (Including Zip Code)</p> <p>Multnomah County District Attorney's Office 1021 S.W. Fourth Avenue, Room 600 Portland, OR 97204</p>		<p>4. AWARD NUMBER: 2009-GP-BX-0043</p>		<p>5. PROJECT PERIOD: FROM 10/01/2009 TO 09/30/2011 BUDGET PERIOD: FROM 10/01/2009 TO 09/30/2011</p>																	
<p>1A. GRANTEE IRS/VENDOR NO. 936002308</p>		<p>6. AWARD DATE 08/26/2009</p>		<p>7. ACTION Initial</p>																	
<p>3. PROJECT TITLE Oregon Project Safe Neighborhoods Program</p>		<p>8. SUPPLEMENT NUMBER 00</p>		<p>9. PREVIOUS AWARD AMOUNT \$ 0</p>																	
		<p>10. AMOUNT OF THIS AWARD \$ 139,687</p>																			
		<p>11. TOTAL AWARD \$ 139,687</p>																			
<p>12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).</p>																					
<p>13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY09 (BJA - PSN) Pub. L. No. 111-8, 123 Stat. 524, 583</p>																					
<p>15. METHOD OF PAYMENT PAPRS</p>																					
<p>AGENCY APPROVAL</p>			<p>GRANTEE ACCEPTANCE</p>																		
<p>16. TYPED NAME AND TITLE OF APPROVING OFFICIAL  Laurie Robinson Acting Assistant Attorney General</p>			<p>18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL  Michael Schrank District Attorney</p>																		
<p>17. SIGNATURE OF APPROVING OFFICIAL  </p>			<p>19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL  </p>		<p>19A. DATE 8-28-09</p>																
<p>AGENCY USE ONLY</p>																					
<p>20. ACCOUNTING CLASSIFICATION CODES</p> <table border="1"> <thead> <tr> <th>FISCAL YEAR</th> <th>FUND CODE</th> <th>BUD. ACT.</th> <th>OFC.</th> <th>DIV. REG.</th> <th>SUB.</th> <th>POMS</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td>X</td> <td>B</td> <td>GP</td> <td>80</td> <td>00</td> <td>00</td> <td></td> <td>139687</td> </tr> </tbody> </table>				FISCAL YEAR	FUND CODE	BUD. ACT.	OFC.	DIV. REG.	SUB.	POMS	AMOUNT	X	B	GP	80	00	00		139687	<p>21. JGPUGT4055</p>	
FISCAL YEAR	FUND CODE	BUD. ACT.	OFC.	DIV. REG.	SUB.	POMS	AMOUNT														
X	B	GP	80	00	00		139687														

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

AWARD CONTINUATION  
SHEET  
Grant

PAGE 2 OF 3

PROJECT NUMBER 2009-GP-BX-0043

AWARD DATE 08/26/2009

*SPECIAL CONDITIONS*

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide, Chapter 19.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -

mail:

Office of the Inspector General  
U.S. Department of Justice  
Investigations Division  
950 Pennsylvania Avenue, N.W.  
Room 4706  
Washington, DC 20530

e-mail: [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov)

hotline: (contact information in English and Spanish): (800) 869-4499


or hotline fax: (202) 616-9881


Additional information is available from the DOJ OIG website at [www.usdoj.gov/oig](http://www.usdoj.gov/oig).

6. "Applicants must certify that Limited English Proficiency persons have meaningful access to the services under this program(s). National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The U.S. Department of Justice has issued guidance for grantees to help them comply with Title VI requirements. The guidance document can be accessed on the Internet at [www.lep.gov](http://www.lep.gov)."

MS 8/28/09



	Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 3 OF 3
PROJECT NUMBER 2009-GP-BX-0043		AWARD DATE 08/26/2009	
<i>SPECIAL CONDITIONS</i>			
<ol style="list-style-type: none"> <li>7. The recipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.</li>   <li>8. To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdiction, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.</li>   <li>9. The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.</li>   <li>10. The grantee agrees to secure and maintain on file signed statements by each member of the selection committee appointed by the United States Attorney or the PSN Task Force indicating that in making recommendations or decisions regarding contracts or subgrants paid for by this grant, the member had no conflict of interest. Such statements must include all of the language included in the PSN Conflict of Interest Certification, however, the grantee may use a different format or may add other related certifications of their own.</li>   <li>11. The recipient agrees to coordinate the project with the U.S. Attorney and Project Safe Neighborhoods Task Force for the district covered by the award. The recipient also is encouraged to coordinate with other community justice initiatives (such as Weed &amp; Seed and ATF's Youth Crime Gun Interdiction Initiative), and other ongoing, local gun prosecution and law enforcement strategies.</li>   <li>12. The recipient agrees to submit to BJA for review and approval any curricula, training materials, proposed publications, reports, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) working days prior to the targeted dissemination date. Any written, visual, or audio publications, with the exception of press releases, whether published at the grantee's or government's expense, shall contain the following statements: "This project was supported by Grant No. 2009-GP-BX-0043 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the SMART Office, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United States Department of Justice." The current edition of the OJP Financial Guide provides guidance on allowable printing and publication activities.</li>   <li>13. The recipient agrees to submit to DOJ for review and approval, any proposal or plan for Project Safe Neighborhoods and Anti-Gang Initiative media-related outreach. DOJ approval must be received prior to any obligation or expenditure of grant funds related to the development of media-related outreach projects.</li> </ol>			
<i>MF</i> <i>8/28/09</i>			

 <p>Department of Justice Office of Justice Programs Bureau of Justice Assistance</p>		<b>GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY</b>	
		<b>Grant</b>	
		PROJECT NUMBER	PAGE 1 OF 1
		2009-GP-BX-0043	
This project is supported under FY09 (BJA - PSN) Pub. L. No. 111-8, 123 Stat. 524, 583			
1. STAFF CONTACT (Name & telephone number)		2. PROJECT DIRECTOR (Name, address & telephone number)	
Jeffrey Felten-Green (202) 514-8874		Scott Marey Business Services Manager 1021 S.W. Fourth Avenue Portland, OR 97204-1193 (503) 988-3863	
3a. TITLE OF THE PROGRAM			3b. POMS CODE (SEE INSTRUCTIONS ON REVERSE)
BJA FY 09 Project Safe Neighborhoods			
4. TITLE OF PROJECT			
Oregon Project Safe Neighborhoods Program			
5. NAME & ADDRESS OF GRANTEE		6. NAME & ADDRESS OF SUBGRANTEE	
Multnomah County District Attorney's Office 1021 S.W. Fourth Avenue, Room 600 Portland, OR 97204			
7. PROGRAM PERIOD		8. BUDGET PERIOD	
FROM: 10/01/2009 TO: 09/30/2011		FROM: 10/01/2009 TO: 09/30/2011	
9. AMOUNT OF AWARD		10. DATE OF AWARD	
\$ 139,687		08/26/2009	
11. SECOND YEAR'S BUDGET		12. SECOND YEAR'S BUDGET AMOUNT	
13. THIRD YEAR'S BUDGET PERIOD		14. THIRD YEAR'S BUDGET AMOUNT	
15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)			
<p>Project Safe Neighborhoods (PSN), a nationwide commitment to reducing gun crime, links existing local programs together and provides them with necessary tools. PSN 1) takes a hard line against gun criminals, using every available means to create safer neighborhoods; 2) seeks to achieve heightened coordination among federal, state, and local law enforcement; and 3) emphasizes tactical intelligence gathering, more aggressive prosecutions, and enhanced accountability through performance measures. The United States Attorney in each federal judicial district will lead the offensive. The fiscal agent, in coordination with the PSN Task Force, will allocate funds throughout the community.</p> <p>The Multnomah County District Attorney's Office, serving as the fiscal agent for the District of Oregon, will use the grant to reduce gang and gun violence within the state. Projects will specifically focus on anti-gang efforts, with an emphasis on a juvenile strategy. The goals are to prosecute juveniles for firearms possession and use of firearms in order to provide for community safety and promote deterrence, and to continue with the comprehensive use of the current anti-gang</p>			

deterrence strategy. The Beaverton Police Department will continue its anti-gang efforts through prevention in the schools and delivery of the Gang Resistance and Education Training (G.R.E.A.T.) curriculum, target patrols, gang detail overtime, and enhanced officer presence at the middle and high schools. The Hillsboro Police Department will continue to fund overtime for additional police officers at four high schools to provide specific youth-oriented policing services with an emphasis on gang behavior. The Portland Police Bureau will fund a Youth Engagement Council, which will open communication with youth in the community, as well as engage and empower youth with anti-gang strategies. The Milwaukie Police Department will fund overtime for undercover graffiti operations, after-school mentoring and counseling for at-risk youth and their families, and undercover surveillance of outlaw motorcycle gangs. The Department of Community Justice, Juvenile Services Division, will identify high-risk, gang-involved youth who are currently on probation and are at-risk to re-offend. The funds will also support community outreach to provide information for the youths' parents and will use culturally appropriate service providers to facilitate meetings for discussions on gang awareness, prevention, alcohol and drug services, mental health services, and educational advocacy. The Multnomah County District Attorney's Office will allow the PSN prosecutor to continue the implementation and maintenance of two projects aimed at prosecuting adults who give guns to youth.

NCA/NCJF



Department of Justice  
Office of Justice Programs  
Office of the Chief Financial Officer

Washington, D.C. 20531

August 26, 2009

The Honorable Michael Schruck  
Multnomah County District Attorney's Office  
1021 S.W. Fourth Avenue, Room 600  
Portland, OR 97204

Reference Grant Number: 2009-GP-BX-0043

Dear Mr. Schruck:

I am pleased to inform you that my office has approved the following budget categories for the aforementioned grant award in the cost categories identified below:

Category	Budget
Personnel	\$69,313
Fringe Benefits	\$35,760
Travel	\$0
Equipment	\$0
Supplies	\$0
Construction	\$0
Contractual	\$34,614
Other	\$0
Total Direct Cost	\$139,687
Indirect Cost	\$0
Total Project Cost	\$139,687
Federal Funds Approved:	\$139,687
Non-Federal Share:	\$0
Program Income:	\$0

Match is not required for this grant program.



Department of Justice  
Office of Justice Programs

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Office of the Assistant Attorney General

Washington, D.C. 20531

August 26, 2009

The Honorable Michael Schruck  
Multnomah County District Attorney's Office  
1021 S.W. Fourth Avenue, Room 600  
Portland, OR 97204

Dear Mr. Schruck:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 09 Project Safe Neighborhoods in the amount of \$139,687 for Multnomah County District Attorney's Office.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Jeffrey Felten-Green, Program Manager at (202) 514-8874; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov).

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Robinson", written over a horizontal line.

Laurie Robinson  
Acting Assistant Attorney General

Enclosures



Department of Justice  
Office of Justice Programs  
Office for Civil Rights

Washington, D.C. 20531

August 26, 2009

The Honorable Michael Schruck  
Multnomah County District Attorney's Office  
1021 S.W. Fourth Avenue, Room 600  
Portland, OR 97204

Dear Mr. Schruck:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of Federal funding to compliance with Federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice is responsible for ensuring that recipients of financial aid from OJP, its component offices and bureaus, the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) comply with applicable Federal civil rights statutes and regulations. We at OCR are available to help you and your organization meet the civil rights requirements that come with Justice Department funding.

**Ensuring Access to Federally Assisted Programs**

As you know, Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in respect to employment practices but also in the delivery of services or benefits. Federal law also prohibits funded programs or activities from discriminating on the basis of age in the delivery of services or benefits.

**Providing Services to Limited English Proficiency (LEP) Individuals**

In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of Federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at <http://www.lep.gov>.

**Ensuring Equal Treatment for Faith-Based Organizations**

The Department of Justice has published a regulation specifically pertaining to the funding of faith-based organizations. In general, the regulation, Participation in Justice Department Programs by Religious Organizations; Providing for Equal Treatment of all Justice Department Program Participants, and known as the Equal Treatment Regulation 28 C.F.R. part 38, requires State Administering Agencies to treat these organizations the same as any other applicant or recipient. The regulation prohibits State Administering Agencies from making award or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the Department of Justice to fund inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must be held separately from the Department of Justice funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see OCR's website at <http://www.ojp.usdoj.gov/ocr/etfbo.htm>.

State Administering Agencies and faith-based organizations should also note that the Safe Streets Act, as amended; the Victims of Crime Act, as amended; and the Juvenile Justice and Delinquency Prevention Act, as amended, contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the Justice Department has concluded that the Religious Freedom Restoration Act (RFRA) is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive DOJ funds and to continue considering religion when hiring staff, even if the statute that authorizes the funding program generally forbids considering of religion in employment decisions by grantees.

Questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment may be directed to this Office.

### Enforcing Civil Rights Laws

All recipients of Federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to the prohibitions against unlawful discrimination. Accordingly, OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal employment opportunity standards.

### Complying with the Safe Streets Act or Program Requirements

In addition to these general prohibitions, an organization which is a recipient of financial assistance subject to the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, 42 U.S.C. § 3789d(e), or other Federal grant program requirements, must meet two additional requirements: (1) complying with Federal regulations pertaining to the development of an Equal Employment Opportunity Plan (EEOP), 28 C.F.R. § 42.301-308, and (2) submitting to OCR Findings of Discrimination (see 28 C.F.R. §§ 42.205(5) or 31.202(5)).

#### 1) Meeting the EEOP Requirement

In accordance with Federal regulations, Assurance No. 6 in the Standard Assurances, COPS Assurance No. 8.B, or certain Federal grant program requirements, your organization must comply with the following EEOP reporting requirements:

If your organization has received an award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEOP and submit it to OCR for review **within 60 days from the date of this letter**. For assistance in developing an EEOP, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eeop.htm>. You may also request technical assistance from an EEOP specialist at OCR by dialing (202) 616-3208.

If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEOP, but it does not have to submit the EEOP to OCR for review. Instead, your organization has to maintain the EEOP on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEOP requirement. However, your organization must complete Section A of the Certification Form and return it to OCR. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

#### 2) Submitting Findings of Discrimination

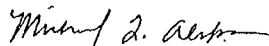
In the event a Federal or State court or Federal or State administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, religion, national origin, or sex, your organization must submit a copy of the finding to OCR for review.

### Ensuring the Compliance of Subrecipients

If your organization makes subawards to other agencies, you are responsible for assuring that subrecipients also comply with all of the applicable Federal civil rights laws, including the requirements pertaining to developing and submitting an EEOP, reporting Findings of Discrimination, and providing language services to LEP persons. State agencies that make subawards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of subrecipients.

If we can assist you in any way in fulfilling your civil rights responsibilities as a recipient of Federal funding, please call OCR at (202) 307-0690 or visit our website at <http://www.ojp.usdoj.gov/ocr/>.

Sincerely,



Michael L. Alston  
Director

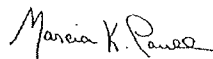
cc: Grant Manager  
Financial Analyst

If you have questions regarding this award, please contact:

- Program Questions, Jeffrey Felten-Green, Program Manager at (202) 514-8874
- Financial Questions, the Office of Chief Financial Officer, Customer Service Center(CSC) at (800) 458-0786, or you may contact the CSC at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov).

Congratulations, and we look forward to working with you.

Sincerely,



Marcia K. Paul  
Chief Financial Officer





Department of Justice  
Office of Justice Programs  
*Bureau of Justice Assistance*

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Washington, D.C. 20531

**Memorandum To:** Official Grant File

**From:** Maria A. Berry, NEPA Coordinator

**Subject:** Categorical Exclusion for Multnomah County District Attorney's Office

Awards under the FY 2009 Project Safe Neighborhoods grant program will be used to fund innovative ideas in reducing gun violence and will carry the following NEPA special condition:

None of the following activities will be conducted either under the OJP federal action or a related third party action: 1) New construction; 2) Any renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain; 3) A renovation which will change the basic prior use of a facility or significantly change its size; 4) Research and technology whose anticipated and future application could be expected to have an effect on the environment; or 5) Implementation of a program involving the use of chemicals. Consequently, the subject federal action meets OJP's criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of the Code of Federal Regulations. Additionally, the proposed action is neither a phase nor a segment or a project which when viewed in its entirety would not meet the criteria for a categorical exclusion.