

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

618



SUBMITTAL DATE:
November 9, 2012

FROM: District Attorney

SUBJECT: Acceptance of the FY12 Intellectual Property Theft Enforcement Program Grant Award from the U.S. Department of Justice and Adoption of Resolution 2012-217.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve acceptance of a Intellectual Property Theft Enforcement Program Cooperative Agreement from the U.S. Department of Justice Office of Justice Programs, Bureau of Justice Assistance in the amount of \$200,000.
2. Adopt Resolution 2012-217 authorizing the District Attorney or his designee to sign the Grant Award Agreement on behalf of the Board.

BACKGROUND: (Commences on Page 2)

Jeffrey A. Van Wagenen Jr., for Paul E. Zellerbach, District Attorney

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 150,000	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0.00	Budget Adjustment:	Yes
	Annual Net County Cost:	\$ 0.00	For Fiscal Year:	2012-2013

SOURCE OF FUNDS: 100% Federal Funds	Positions To Be Deleted Per A-30	<input checked="" type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature BY: 
Elizabeth J. Olson

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY:  11/14/12
 DEPARTMENTAL COORDINATOR
 SAMUEL WONG
 FORM APPROVED COUNTY COUNSEL
 BY:  NEAL R. KIPNIS
 Departmental Coordinator
 NEAL R. KIPNIS
 Department Recommendation: Consent Policy
 Per Executive Office: Consent Policy

Prev. Agn. Ref.:

District: All **Agenda Number:**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.5

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Acceptance of the FY12 Intellectual Property Theft Enforcement Program Grant Award from the U.S. Department of Justice and Adoption of Resolution 2012-217.
DATE: November 9, 2012

PAGE 2

BACKGROUND:

The Riverside County District Attorney's Office was awarded \$200,000 from the Department of Justice, Office of Justice Programs Bureau of Justice Assistance to expand its Consumer Fraud Program to include an Intellectual Property Theft Vertical Investigation/Prosecution component.

California is well-known as a technology leader and innovator. The designation comes with a heavy price tag, as the state is an attractive target for high-tech and intellectual property thieves and consistently suffers the serious impacts of global intellectual property problems. Representatives of high tech and other businesses struggle to maintain the integrity and quality of their trade secrets, brand names and the security of their trademarked merchandise, and will often call on government assistance to investigate and prosecute these cases. Since January of 2011, the Riverside County District Attorney's Office has investigated and prosecuted more than 30 intellectual property theft cases relating to counterfeit merchandise (clothing, handbags, make-up, etc.), resulting in over \$2.3 million retail value of items seized.

The primary goals of the newly created Intellectual Property Theft Vertical Investigation/Prosecution program is to: 1) Enforce Criminal Intellectual Property Laws to more effectively combat intellectual property rights; and 2) Engage in public education activities to raise awareness of Intellectual Property Laws, Protection, and Coordinated Efforts. To achieve these goals, the Riverside County District Attorney's Office will a) Utilize state forfeiture statutes to seize assets gained from criminal activities; b) Conduct forensic examinations of computer and other devices suspected of being involved in intellectual property theft violations; c) Conduct outreach to high school students, Parent Teacher Associations, community groups such as Rotary Clubs and Chambers of Commerce, and various industries and government (federal, state, local and foreign law enforcement, pharmaceutical, entertainment, and clothing and electronic manufacturers); and d) Expand existing task force by reaching out to additional agencies at the local, state and federal level.

The Riverside County District Attorney's Office will utilize the experience of a highly skilled, seasoned fraud investigator and the expertise of a seasoned prosecutor to conduct independent criminal investigations and prosecutions.

The grant period is October 1, 2012 through September 30, 2013. No local fund match is required.

The grant documents have been approved as to form by County Counsel.

Schedule "A"

Increase Appropriations:

10000-2200100000-510040	Regular Salaries	\$ 95,847
10000-2200100000-518100	Budgeted Benefits	41,105
10000-2200100000-520200	Communication	1,350
10000-2200100000-527880	Training-Other	3,991
10000-2200100000-523640	Computer Equip-Non Fixed Asset	2,066
10000-2200100000-523700	Office Supplies	1,090
10000-2200100000-528920	Carpool Expense	3,285
10000-2200100000-521640	Maint - Software	<u>1,266</u>
		\$150,000

Increase Estimated Revenue:

10000-2200100000-767300	Fed-Other Government Agencies	\$150,000
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3 RESOLUTION NO. 2012-217

4 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
5 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, REGARDING

6 INTELLECTUAL PROPERTY THEFT ENFORCEMENT PROGRAM - GRANT AWARD AGREEMENT

7 WHEREAS, the County of Riverside desires to undertake a certain program designated the
8 Intellectual Property Theft Enforcement Program Grant Award to be funded from funds made available
9 through and administered by the U.S. Department of Justice, Bureau of Justice Assistance (hereinafter
10 referred to as "DOJ"); now therefore

11 BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Riverside, State
12 of California, in regular session assembled on _____, 2012, that the District Attorney
13 of the County of Riverside, State of California and/or his designee is authorized, on its behalf, to submit
14 and to sign the Grant Award Agreement as well as related contracts, amendments, or extensions with
15 DOJ that do not significantly change the grant or contract.

16 BE IT FURTHER RESOLVED that the resolution shall be in effect for a one-year period beginning
17 October 1, 2012 and ending September 30, 2013.

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FORM APPROVED COUNTY COUNSEL
BY *[Signature]* DATE *11-15-12*



Department of Justice
Office of Justice Programs
Office for Civil Rights

Washington, D.C. 20531

September 24, 2012

Mr. Jeffrey Van Wagenen, Jr.
County of Riverside District Attorney's Office
4075 Main Street
Riverside, CA 92501-3643

Dear Mr. Van Wagenen,:

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(c), 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 (EEO Plan), 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 EEO Plan 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 EEO Plan 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 EEO Plan and submit it to OCR for review within 60 days from the date of this letter. For assistance in developing an EEO Plan, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eop.htm>. You may also request technical assistance from an EEO Plan 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 EEO Plan, but it does not have to submit the EEO Plan to OCR for review. Instead, your organization has to maintain the EEO Plan 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/eop.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 EEO Plan 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/eop.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 EEO Plan, 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



Department of Justice
Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

September 24, 2012

Mr. Jeffrey Van Wagenen, Jr.
County of Riverside District Attorney's Office
4075 Main Street
Riverside, CA 92501-3643

Dear Mr. Van Wagenen,:

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 12 Protecting Public Health, Safety and the Economy from Counterfeit Goods and Product Piracy: The Intellectual Property Theft Enforcement Program in the amount of \$200,000 for County of Riverside 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, Zephyr R. Fraser, Program Manager at (202) 616-0416; 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.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in cursive script that reads "Mary Lou Leary".

Mary Lou Leary
Acting Assistant Attorney General

Enclosures



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Grant

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1. RECIPIENT NAME AND ADDRESS (Including Zip Code) County of Riverside District Attorney's Office 4075 Main Street Riverside, CA 92501-3643		4. AWARD NUMBER: 2012-DG-BX-0009	
		5. PROJECT PERIOD: FROM 10/01/2012 TO 09/30/2013 BUDGET PERIOD: FROM 10/01/2012 TO 09/30/2013	
		6. AWARD DATE 09/24/2012	7. ACTION
1A. GRANTEE IRS/VENDOR NO. 956001943		8. SUPPLEMENT NUMBER 00	Initial
		9. PREVIOUS AWARD AMOUNT \$ 0	
3. PROJECT TITLE Riverside County District Attorney's Office Consumer Fraud Program		10. AMOUNT OF THIS AWARD \$ 200,000	
		11. TOTAL AWARD \$ 200,000	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY12(BJA - JAG carve-out) 42 USC 3756(b)			
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Mary Lou Leary Acting Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Jeffrey Van Wagenen, Assistant District Attorney	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE 9.25.12
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR FUND CODE BUD. ACT. OFC. DIV. REG. SUB. POMS AMOUNT X B DG 80 00 00 200000			21. LDGUGT1320

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

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PROJECT NUMBER 2012-DG-BX-0009

AWARD DATE 09/24/2012

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.
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

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.

6. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
7. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.



Department of Justice
Office of Justice Programs
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**AWARD CONTINUATION
SHEET**
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PROJECT NUMBER 2012-DG-BX-0009

AWARD DATE 09/24/2012

SPECIAL CONDITIONS

8. The recipient agrees to comply with applicable requirements regarding Central Contractor Registration (CCR) and applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/ccr.htm> (Award condition: Central Contractor Registration and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
9. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
10. The recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies, and guidance is available at www.ojp.gov/funding/confcost.htm.
11. The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm>.
12. The recipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this OJP award, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this OJP award, the recipient will promptly notify, in writing, the grant manager for this OJP award, and, if so requested by OJP, seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.
13. 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. 2012-DG-BX-0009 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 Office for Victims of Crime, the Community Capacity Development Office, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the OJP Financial Guide provides guidance on allowable printing and publication activities.
14. 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.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
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PROJECT NUMBER 2012-DG-BX-0009

AWARD DATE 09/24/2012

SPECIAL CONDITIONS

15. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.
16. Any Web site that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service:

"This Web site is funded [insert "in part," if applicable] through a grant from the [insert name of OJP component], Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)."

The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.
17. All contracts under this award should be competitively awarded unless circumstances preclude competition. When a contract amount exceeds \$100,000 and there has been no competition for the award, the recipient must comply with rules governing sole source procurement found in the current edition of the OJP Financial Guide.
18. Approval of this award does not indicate approval of any consultant rate in excess of \$450 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.

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Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
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PROJECT NUMBER 2012-DG-BX-0009

AWARD DATE 09/24/2012

SPECIAL CONDITIONS

19. The recipient acknowledges that the Office of Justice Programs (OJP) reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) any work subject to copyright developed under an award or subaward; and (2) any rights of copyright to which a recipient or subrecipient purchases ownership with Federal support.

The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under an award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.227-14 (Rights in Data - General).

It is the responsibility of the recipient (and of each subrecipient, if applicable) to ensure that this condition is included in any subaward under this award.

The recipient has the responsibility to obtain from subrecipients, contractors, and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed subrecipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the OJP program manager for the award and not proceed with the agreement in question without further authorization from the OJP program office.

20. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
21. Prior to developing, producing or engaging in public outreach and education efforts, the recipient is required to coordinate these activities with BJA's national public awareness campaign partner.
22. The recipient agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/ffata.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Categorical Exclusion for County of Riverside District Attorney's Office

The Intellectual Property Theft Enforcement Program is designed to provide national support and improve the capacity of state, local, and tribal criminal justice systems to address intellectual property criminal enforcement, including prosecution, prevention, training, and technical assistance.

Awards under this program will be used to develop national demonstration, training, and technical assistance programs. None of the following activities will be conducted whether under the Office of Justice Programs federal action or a related third party action:

- (1) New construction.
- (2) 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.
- (5) Implementation of a program involving the use of chemicals.

Consequently, the subject federal action meets the Office of Justice Programs' 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 of a project which when reviewed in its entirety would not meet the criteria for a categorical exclusion.



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

Washington, D.C. 20531

September 24, 2012

Mr. Jeffrey Van Wagenen, Jr.
County of Riverside District Attorney's Office
4075 Main Street
Riverside, CA 92501 - 3643

Reference Grant Number: 2012-DG-BX-0009

Dear Mr. Van Wagenen,:

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	\$127,796
Fringe Benefits	\$54,806
Travel	\$5,321
Equipment	\$2,754
Supplies	\$1,453
Construction	\$0
Contractual	\$0
Other	\$7,870
Total Direct Cost	\$200,000
Indirect Cost	\$0
Total Project Cost	\$200,000
Federal Funds Approved:	\$200,000
Non-Federal Share:	\$0
Program Income:	\$0

Match is not required for this grant program.

If you have questions regarding this award, please contact:

- Program Questions, Zephyr R. Fraser, Program Manager at (202) 616-0416
- Financial Questions, the Office of Chief Financial Officer, Customer Service Center(CSC) at (800) 458-0786, or you may contact the CSC at ask.oefo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,



Leigh Benda
Chief Financial Officer



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**GRANT MANAGER'S MEMORANDUM, PT. I:
PROJECT SUMMARY**

Grant

PROJECT NUMBER
2012-DG-BX-0009

PAGE 1 OF 1

This project is supported under FY 12(BJA - JAG carve-out) 42 USC 3756(b)

1. STAFF CONTACT (Name & telephone number)

Zephyr R. Fraser
(202) 616-0416

2. PROJECT DIRECTOR (Name, address & telephone number)

Sharon Campbell
Administrative Analyst
3960 Orange Street
Riverside, CA 92501
(951) 955-0298

3a. TITLE OF THE PROGRAM

BJA FY 12 Protecting Public Health, Safety and the Economy from Counterfeit Goods and Product Piracy: The Intellectual Property Theft Enforcement Program

**3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)**

4. TITLE OF PROJECT

Riverside County District Attorney's Office Consumer Fraud Program

5. NAME & ADDRESS OF GRANTEE

County of Riverside District Attorney's Office
4075 Main Street
Riverside, CA 92501-3643

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2012 TO: 09/30/2013

8. BUDGET PERIOD

FROM: 10/01/2012 TO: 09/30/2013

9. AMOUNT OF AWARD

\$ 200,000

10. DATE OF AWARD

09/24/2012

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)

This program is authorized by the Consolidated and Further Continuing Appropriations Act, 2012 (Pub. L. 112-55) and informed by section 401 of Public Law 110-403, which authorizes the Department to provide funding to support state and local intellectual property enforcement efforts. The Intellectual Property Theft Enforcement Program is designed to provide national support and improve the capacity of state, local, and tribal criminal justice systems to address intellectual property criminal enforcement, including prosecution, prevention, training, and technical assistance. This program is generally informed by section 401 of Public Law 110-403, which authorizes the Department to provide funding to support state and local intellectual property crime enforcement efforts.

The Riverside County District Attorney's Office will utilize its FY 2012 Intellectual Property Crimes Enforcement Program funds to expand its Consumer Fraud Program, to include an Intellectual Property Theft Vertical Investigation/Prosecution component. The primary project goals are to: 1) enforce Criminal Intellectual Property Laws to more effectively combat intellectual property rights; and 2) engage in public education activities to raise awareness of intellectual property laws,

protection, and coordinated efforts.

A description of the strategies to achieve the previously stated goals are as follows:

(1) Enforce Criminal Intellectual Property Laws: a) Conduct independent criminal investigations and prosecutions using the vertically assigned Senior DA Investigator and Deputy District Attorney; b) Utilize state forfeiture statutes to seize assets gained from criminal activities; and c) Conduct forensic examinations of computer and other devices suspected of being involved in intellectual property theft violations.

(2) Outreach, Education, and Training:

a) Conduct outreach to high school students, Parent Teacher Associations, community groups such as Rotary Clubs and Chambers of Commerce, and various industries and government (federal, state, local, and foreign law enforcement, pharmaceutical, entertainment, and clothing and electronic manufacturers); and b) Expand the existing task force by reaching out to additional agencies at the federal, state, and local level. CA/NCF