

**REQUEST FOR AGENDA PLACEMENT FORM**

Submission Deadline - Tuesday, 12:00 PM before Court Dates

SUBMITTED BY: Troy Fuller TODAY'S DATE: 09/20/2021

DEPARTMENT: Constable Pct 4

SIGNATURE OF DEPARTMENT HEAD: \_\_\_\_\_

REQUESTED AGENDA DATE: 09/27/2021

**SPECIFIC AGENDA WORDING:**

Requesting court approval to apply for Grant Funding for FY22 through Governors Public Safety Office (PSO) for Body Worn Camera (BWC) for the Constables Office's. **The grant application is due 11/30/2021, and there is a 25% match of the total grant award.**

COMMISSIONERS COURT

SEP 27 2021

**Approved**

**PERSON(S) TO PRESENT ITEM:**

Troy Fuller

**SUPPORT MATERIAL:** (Must enclose supporting documentation)

**TIME:** 5 minutes  
(Anticipated number of minutes needed to discuss item)

**ACTION ITEM:** ✓  
**WORKSHOP:**  
**CONSENT:**  
**EXECUTIVE:**

**STAFF NOTICE:**

**COUNTY ATTORNEY:**

**IT DEPARTMENT:**

**AUDITOR:**

**PURCHASING DEPARTMENT:**

**PERSONNEL:**

**PUBLIC WORKS:**

**BUDGET COORDINATOR:**

**OTHER:**

This Section to be completed by County Judge's Office

ASSIGNED AGENDA DATE: \_\_\_\_\_

REQUEST RECEIVED BY COUNTY JUDGE'S OFFICE:

\_\_\_\_\_  
**COURT MEMBER APPROVAL:**

\_\_\_\_\_  
**DATE:**

Troy L. Fuller

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**From:** egrants <egrants@gov.texas.gov>  
**Sent:** Wednesday, September 1, 2021 2:53 PM  
**Subject:** PSO Open Funding Opportunity Announcements

**\*\*\*JOHNSON COUNTY SECURITY NOTICE\*\*\***

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## **Funding Opportunities Announcement**

The Governor's Public Safety Office (PSO) has opened the following funding opportunities:

- FY22 Body-Worn Camera Program (Round 4)
- FY22 Border Zone Fire Departments (BZFD) Announcement

## **Application Submission Process**

There are three steps to developing and submitting an application in eGrants:

Step 1: Create – Search and apply for available funding opportunities and complete all required

Step 2: Submit – A Grant Official must click the "Submit Initial Application" button which notifies

Step 3: Certify – The Authorized Official (AO) must click the "Certify Official Application" button

**IMPORTANT NOTE: An application must be certified by the AO before it is accepted**

**Final Date to Submit and Certify an Application for the Above Funding ( Tuesday, November 30, 2021 at 5:00PM CST**

## **Resources**

Detailed funding information and a calendar listing of available funding is located here - [http://www.texas.gov/psoservices/psoservicesguides](#)

## **Public Safety Office**

During normal business hours, PSO can provide assistance with creating, completing, and submitting applications. Programmatic assistance is not available after hours or on holidays.

[eGrants Website](#)

[Help Desk Email Address](#)

[Contact Us Webform Link](#)

Phone Number: (512) 463-1919



Office of the Governor, Public Safety Office  
Criminal Justice Division  
Funding Announcement: ***Body-Worn Camera  
Grant Program, FY2022***

### **Purpose**

The purpose of this announcement is to solicit applications from law enforcement agencies to equip peace officers with body-worn cameras.

### **Available Funding**

State funds for these projects are authorized under the Texas General Appropriations Act, Article I, Rider 35 for Trusteed Programs within the Office of the Governor. All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. PSO expects to make available \$10M for FY2022.

### **Eligible Organizations**

Applications may be submitted by the Texas Department of Public Safety, municipalities, and counties that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure.

All applications submitted by local law enforcement agencies/offices must be submitted by a unit of government affiliated with the agency, including an authorizing resolution from that unit of government. For example, police departments must apply under their municipal government, and community supervision and corrections departments, district attorneys, and judicial districts must apply through their affiliated county government (or one of the counties, in the case of agencies that serve more than one county).

### **Application Process**

Applicants must access the PSO's eGrants grant management website at <https://eGrants.gov.texas.gov> to register and apply for funding. For more instructions and information, see *eGrants User Guide to Creating an Application*, available [here](#).

### **Key Dates**

Action	Date
Funding Announcement Release	09/01/2021
Online System Opening Date	09/01/2021
Final Date to Submit and Certify an Application	11/30/2021 at 5:00PM CST
Earliest Project Start Date	03/01/2022

## Project Period

Projects must begin on or after 03/01/2022 and may not exceed a 12 month project period.

## Funding Levels

Minimum: None

Maximum: None

Match Requirement: 25%

## Standards

Grantees must comply with standards applicable to this fund source cited in the Texas Grant Management Standards (TxGMS), Federal Uniform Grant Guidance, and all statutes, requirements, and guidelines applicable to this funding.

## Eligible Activities and Costs

Funds may be used for obtaining body-worn cameras, digital video storage, and retrieval systems or cloud-based services. PSO will not pay for any service or subscription-based support that exceeds the cost prorated to the one-year project period.

## Program-Specific Requirements

**Eligible officers.** Pursuant to Sec. 1701.652, Occupations Code, grant funds may only be used to equip peace officers (as defined by Article 2.12, Texas Code of Criminal Procedure) who:

- 1) Engage in traffic or highway patrol or otherwise regularly detain or stop motor vehicles; or
- 2) Primary responders who respond directly to calls for assistance from the public.

**Policy.** Pursuant to Sec. 1701.655, Occupations Code, a law enforcement agency that receives a grant to provide body worn cameras to its peace officers or that otherwise operates a body worn camera program shall adopt a policy for the use of body worn cameras. The policy must ensure that a body worn camera is activated only for a law enforcement purpose and must include:

- 1) Guidelines for when a peace officer should activate a camera or discontinue a recording currently in progress, considering the need for privacy in certain situations and at certain locations.
- 2) Provisions relating to data retention, including a provision requiring the retention of video for a minimum period of 90 days.
- 3) Provisions relating to storage of video and audio, creation of backup copies of the video and audio, and maintenance of data security.
- 4) Guidelines for public access, through open records requests, to recordings that are public information.
- 5) Provisions entitling an officer to access any recording of an incident involving the officer before the officer is required to make a statement about the incident.
- 6) Procedures for supervisory or internal review.
- 7) The handling and documenting of equipment and malfunctions of equipment.
- 8) Consistent with the Federal Rules of Evidence and Texas Rules of Evidence.

The policy may not require a peace officer to keep a body worn camera activated for the entire period of the officer's shift.

**Training.** Pursuant to Sec. 1701.656, Occupations Code, a law enforcement agency must provide training to:

- 1) Peace officers who will wear the body worn cameras.
- 2) Any other personnel who will come into contact with video and audio data obtained from the use of body worn cameras.

**Reporting.** Pursuant to Sec. 1701.653, Occupations Code, a law enforcement agency shall annually report to the Texas Commission on Law Enforcement (TCOLE) regarding the costs of implementing a body worn camera program, including all known equipment costs and costs for data storage.

## **Eligibility Requirements**

1. Local units of government, including counties, municipalities, special districts, school districts, junior college districts, or other political subdivisions of the state, must submit a written certification of the local government's compliance with the cybersecurity training required by Section 2054.5191 of the Texas Government Code. A determination of non-compliance with the cybersecurity training requirements will result in a refund of the original grant award as well as ineligibility of future grant awards until the second anniversary of the date the local government is determined ineligible.
2. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90 percent of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

3. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted. Note: UCR is transitioning from summary reporting to NIBRS only in 2021. Applicants are encouraged to transition to NIBRS as soon as possible in order to maintain their grant eligibility.
4. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal

aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the CEO/Law Enforcement Certifications and Assurances Form certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2022 or the end of the grant period, whichever is later.

5. Eligible applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <https://fedgov.dnb.com/webform>).
6. Eligible applicants must be registered in the federal System for Award Management (SAM) database located at <https://sam.gov/>.

Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

## Prohibitions

Grant funds may not be used to support the unallowable costs listed in the Guide to Grants or any of the following unallowable costs:

1. Any costs ancillary to the purchase of body-worn cameras, video storage, and retrieval systems or cloud-based services such as policy development, training costs, and staff; and
2. Any other prohibition imposed by federal, state or local law or regulation.

## Selection Process

**Application Screening:** The Office of the Governor will screen all applications to ensure that they meet the requirements included in the funding announcement.

**Peer/Merit Review:** The Office of the Governor will review applications to understand the overall demand for the program and for significant variations in costs per item. After this review, the Office of the Governor will determine if all eligible applications can be funded based on funds available, if there are cost-effectiveness benefits to normalizing or setting limits on the range of costs, and if other fair-share cuts may allow for broader distribution and a higher number of projects while still remaining effective.

**Final Decisions:** The Office of the Governor will make all final funding decisions based on eligibility, reasonableness, availability of funding, geographic distribution, cost effectiveness, or other relevant factors.

**Funding Announcement: Body-Worn Camera Grant Program, FY2022**

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The Office of the Governor may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, the Office of the Governor may revise projects to address a more limited focus.

**Contact Information**

For more information, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.