

Sheriff's Office county of tulare agenda item

BOARD OF SUPERVISORS

KUYLER CROCKER District One

PETE VANDER POEL District Two

> AMY SHUKLIAN District Three

EDDIE VALERO

DENNIS TOWNSEND

	AGENDA	DATE:	January	8,	2019	REVISE
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Public Hearing Required	Yes □ N/A ⊠
Scheduled Public Hearing w/Clerk	Yes □ N/A ⊠
Published Notice Required	Yes ☐ N/A ⊠
Advertised Published Notice	Yes ☐ N/A ⊠
Meet & Confer Required	Yes ☐ N/A 🖾
Electronic file(s) has been sent	Yes ⊠ N/A □
Budget Transfer (Aud 308) attached	Yes ☐ N/A ⊠
Personnel Resolution attached	Yes □ N/A ⊠
Agreements are attached and signature	e line for Chairman is marked with
tab(s)/flag(s)	Yes ⊠ N/A □
CONTACT PERSON: Ed Lardner, Grant S	pecialist PHONE: 559-802-9462

SUBJECT:

Authorize the submission of a grant application with the California

Department of Public Health.

REQUEST(S):

That the Board of Supervisors:

- 1. Ratify and approve a grant application from the Tulare County Sheriff's Office effective December 21, 2018 to the California Department of Public Health for enforcement and education of tobacco laws and the dangers of tobacco use. The grant period is for February 1, 2019 through January 31, 2022 in an amount up to \$240,357. The grant application is retroactive because the time period between the release date for the requests for application and the submission deadline did not allow for a timely submission to your Board for approval before the grant deadline date.
- 2. Find that the Board had authority to submit the grant application by December 21, 2018, and that it was in the County's best interest to submit the grant application by that date.
- 3. Ratify the Chairman's signature on the grant application.

SUMMARY:

The California Department of Public Health (PH) has annual grant programs for law enforcement to investigate and enforce tobacco laws using targeted operations and to conduct education and outreach on tobacco laws and the dangers of using tobacco products. The Request For Applications for this grant opportunity from PH was released on November 16, 2018 and the date grant applications were due was

SUBJECT: Authorize the submission of a grant application with the California

Department of Public Health.

DATE: January 8, 2019 REVISED

December 21, 2018, not allowing for a timely submission to your Board.

Under this grant opportunity, the Sheriff's Office will conduct undercover operations to check authorized tobacco retailers to determine if they are selling tobacco products to minors or violating other laws governing the sale of tobacco products. The Sheriff's Office proposal involves conducting random operations over a 36-month period. Strict prohibition on the sale of tobacco products to minors will be emphasized.

The Sheriff's application includes the purchase of an educational vehicle based LED mobile message board that will be self-contained, with anti-tobacco messages on the LED programmable exterior walls. The vehicle may be driven around the County by Sheriff's Office staff and displayed at events. The Sheriff's Office had applied through another agency's grant application for a vehicle based message board but that request was not approved. The Sheriff's Office will coordinate tobacco education and enforcement activities with other County Departments and community based nonprofit organizations.

FISCAL IMPACT/FINANCING:

The Sheriff's Office is submitting a grant application for up to \$240,357 for one vehicle and overtime for enforcement and education operations from the California Department of Public Health. The vehicle will be purchased in year one with overtime used during the three grant years. If approved, it is anticipated the grant would pay for the full cost of the requested equipment and overtime. There will be no additional net County cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Safety and Security Initiative to provide for the safety and security of the public. The authorization to apply for a grant helps fulfill this initiative by ensuring the Sheriff's Office has the equipment it needs to provide education to the public and costs for enforcement of tobacco laws. If the Sheriff's grant application is approved by the State, this will contribute to this initiative.

ADMINISTRATIVE SIGN-OFF:

Mike Boudreaux

Sheriff-Coroner

cc: County Administrative Office

SUBJECT: Authorize the submission of a grant application with the California

Department of Public Health.
January 8, 2019 **REVISED** DATE:

BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA

IN THE MATTER OF AUTHORIZE THE SUBMISSION OF A GRANT APPLICA WITH THE CALIFORNIA DEPARTMEN PUBLIC HEALTH	TION) Resolutio	on No nt No	
UPON MOTION OF SUPERVISO	OR	, SECONDED B	βY
SUPERVISOR	_, THE FOLLOWING	WAS ADOPTED BY TH	ŀΕ
BOARD OF SUPERVISORS, AT AN O	FFICIAL MEETING H	ELD	
, BY THE FOLLOWING VOTE:			
AYES: NOES: ABSTAIN: ABSENT:			
ATTEST:	JASON T. BRITT COUNTY ADMINIST CLERK, BOARD OF		
BY:	Deputy	v Clerk	

- 1. Ratified and approve a grant application from the Tulare County Sheriff's Office effective December 21, 2018 to the California Department of Public Health for enforcement and education of tobacco laws and the dangers of tobacco use. The grant period is for February 1, 2019 through January 31, 2022 in an amount up to \$240,357. The grant application is retroactive because the time period between the release date for the requests for application and the submission deadline did not allow for a timely submission to your Board for approval before the grant deadline date.
- 2. Found that the Board had authority to submit the grant application by December 21, 2018, and that it was in the County's best interest to submit the grant application by that date.
- 3. Ratified the Chairman's signature on the grant application.

California Department of Public Health TOBACCO ENFORCEMENT SECTION Stop Tobacco Access to Kids Enforcement (STAKE) **GRANT PROGRAM CDPH-PROP56-2018**

PROPOSAL COVER SHEET

SUBMITTED BY:

Fiscal Unit: Ed Lardner, Grant Specialist 833 S. Akers Street, Visalia, CA 93267 (559) 802-9462 elardner@co.tulare.ca.us

PROGRAM MANAGER / PROGRAM CONTACT:

Lt. Jon Brown, Headquarters Substation Commander 833 S. Akers Street, Visalia, CA 93267 (559) 802-9484 jonbrown@co.tulare.ca.us

Authorized Signa	tures:
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Jon Brown, Lieutenant

Headquarters Substation Commander

Ed Lardner **Grant Specialist**

V. Steven Worthley, Chairman

Tulare County Board of Supervisors

12-11-18 Date

12-11-18

Stop Tobacco Access to Kids Enforcement (STAKE)

Applicant Capability

The Tulare County Sheriff's Office (TCSO) mission is to not only improve of quality of life and provide safety and security of our county, but to ensure all of its residents have the tools necessary to make good decisions through information sharing and community partnerships. We provide continual education and awareness updates through our social media portals, in person formal educational presentations at service clubs, schools, community events, and by networking with other community based organizations to provide outreach on specific topic areas. Through these school, community, and business-based partnerships. we have implemented programs to educate and reduce childhood use of tobacco, alcohol, and other drugs, reduce participation in gangs or other illegal activity, and sexual exploitation through human trafficking and online predators.

TCSO has repeatedly demonstrated its capability to strictly adhere to all grant guidelines and the financial and programmatic requirements of grant programs. TCSO closely follows all applicable guidelines governing expenditure, monitoring, and reporting, and has consistently passed all audits required by grant programs. TCSO has successfully operated several grant programs and multi agency task force's funded by the State and Federal Governments, having successful audits and progress report submissions. TCSO collaborates with a host of partners to include governmental agencies and community based organizations. Our agency operates both a grant and business unit that is under the management of our fiscal manager.

TCSO's grant programs span many subject areas to include two grants totaling \$100m to build two new jails, grants to reduce alcohol use by minors from the Alcohol Beverage Control agency, Inmate Programs grants to reduce recidivism, Domestic Violence grants to reduce child and adult incidents, and a School Resource Officer grant. TCSO and the County Office of Education have recently collaborated on a three-year grant for tobacco education, placing a fulltime deputy in county schools to teach classes and attend events related to the dangers of tobacco use.

TCSO is new to the enforcement of tobacco laws and is currently training personnel and conducting limited operations to educate tobacco sales retailers, conduct online tobacco sales investigations, and conduct undercover enforcement operations through grant funding. These activities are in cooperation with our partners, Tulare County Office of Education and Tulare County Health and Human Services Agency in support of their tobacco grants. No other law enforcement agency is our county is conducting tobacco operations.

STAKE – Scope of Work

Summary

The Tulare County Sheriff's Office is the primary law enforcement agency for the County, with a staff of 877, operating five detention facilities, Courts, patrol, community relations, and other support operations. The Sheriff Command structure is made up of the Sheriff-Coroner, one Undersheriff, two Assistant Sheriff's, and six Captains, who each manage one of the six division's. TCSO operates five patrol substations, operated like a police station for a geographical area. Each is commanded by a Lieutenant, with resident deputies in the mountainous areas. While TCSO partners with many Community Based Organizations (CBO) to provide outreach and education to its residents with formal agreements, MOU's, and grant opportunities such as this one, we also collaborate with other law enforcement agencies on enforcement strategies. Within the County, we have 479 licensed tobacco retailers that minors have access to with the potential to purchase tobacco products.

In partnership with County Public Health, we recently started a project to conduct retail license compliance inspections to obtain voluntary compliance for signage, sales placement, and single cigarette sales as well as train all TCSO personnel on tobacco laws. We are also conducting Minor-Decoy and Shoulder Tap operations throughout the county. Under this grant, we will increase by one per month, the number of "Minor Decoy" undercover operations for enforcement of tobacco regulations than we are already completing. Secondly, the goal is to reach people of all ages using a vehicle based LED mobile video message board (size of a small U-Haul) with anti-tobacco video and static Public Service Messages (PSA), by driving it throughout the well travel county roads as well as rural areas that do not have billboards. The anti-tobacco PSA's may be locally made using our "Tulare County Youth Council" students. No other CA LE agency is doing this, we believe this is the future and know that having a mobile LED message board vehicle with local kids in PSA videos will have an impact in our campaign. We will have the LED message board vehicle at events providing PSA information, to include driving around schools before and after school hours.

TCSO is attending public events and schools to promote tobacco laws and the dangers of all types of tobacco use, while engaging youth in conversations about the dangers of using tobacco, to include Tulare County Office of Education in their annual "Anti-Tobacco Challenge Bowl" with our 6th graders. Behavior modification items and handouts will be used along with press releases, media interviews, and social media outreach. TCSO understands that having staff in uniform sends a more serious message when talking about laws and health hazards. We are requesting \$240,357 during this grant period. An estimate for Year-1 (19/20) is \$186,119 (mobile LED message board vehicle, education materials, and Minor Decoy), Year-2 (20/21) is \$27,119 (education and Minor Decoy).

Expected Outcomes:

- Improve the capacity of law enforcement to investigate, prosecute, and hold offenders accountable.
- Create partnerships and information sharing between the youth, schools, law enforcement, and healthcare services on the dangers of tobacco use and criminal enforcement of violators.
- Create trust and cooperation between retailers and agencies to ensure those under the legal age to consume tobacco products do not have access or sold these products, to include JULL, vap's, chew, and single cigarettes.
- Outreach to youth and others on the dangers of tobacco use and long-term health issues not only at events, but by creating local video PSA visible conversation topics using the mobile message board for parents and kids to talk.
- Measure violations and successful prosecutions as well as attendees at events who are impacted by our anti-tobacco message.

Problem Statement

The Program will be implemented in rural Tulare County (County) with assistance and coordinated activities provided to urban areas. The County is an agricultural region in the San Joaquin Valley, midway between Los Angeles and the San Francisco Bay Area. At 4,824 sq. miles, the County is approximately the size of the State of Connecticut. The area includes eight smaller incorporated cities the County provides services to as needed. Approximately 468,235 residents live in the County with 145,491 living in rural areas and is growing faster than 43 of California's 58 counties.

Although the County's \$7.1 billion dairy and agricultural industry ranked as No. 2 in the entire United States, poverty is pervasive. The County is the poorest in California with 24.8% of residents living in poverty, and one in three residents receives government aid, one of the largest proportion in California. Approximately 34% of County children live in poverty while unemployment has consistently been in double digits. As of March 2018 the County has an unemployment rate of 11%, the highest of all counties within the San Joaquin Valley.

The County's low cost of living is attractive to low or un-skilled workers. Adding to that, agriculture is the largest private employer in the county with farm employment accounting for nearly a quarter of all jobs. Many of these are low paying processing and manufacturing jobs, such as field labor and packing house jobs, which sometimes pay minimum wage. These jobs lure nearly 37,000 farm workers during peak harvest seasons, annually. Census estimates for 2010 reveal 45% of all residents speak a language other than English. Within our current budget, the County does not have the needed funding for enforcement or to purchase the educational vehicle message board

Tulare County Sheriff's Office 18-10494 Total: Page 5 11 Scope of Work Page: 1 of 5

to show the dangers of using tobacco products or conduct enforcement of State tobacco laws.

The problem of tobacco product availability and use by youth is pervasive in our community, its long-term health effects are not getting enough attention and youth still seem to obtain tobacco products from various sources. It does not help that Tulare County adults (20.9%) have a higher number of smokers that the California average (12.7%). Media campaigns can be extremely effective in shifting behavior on products or ideas. Campaigns, including the use of our social media, could have a direct influence on how youth view and interact with tobacco products. According to the U.S. Centers for Disease Control (CDC) in 2015, \$8.9 billion was spent on advertising and promotion of cigarettes and smokeless tobacco combined—more than \$24 million every day or \$1 million every hour, while the impact of smoking in Tulare County was \$88.9 million in 2016. We are asking for a small amount of money to combat this campaign. The percentage of stores in low income areas of the County that sell tobacco products is 67.2% compared to 31.2% in California, with 30.2% of stores near schools, and 63.8% of all stores selling some type of ecigarette. That comes out to one store for every 290 County youth compared to the average 267 youth State wide.

Youth tobacco use in our County is above average at 15.4% when compared to California's 13.8%. According to the California Department of Public Health, current use of electronic cigarettes (ecigarettes) increased among middle and high school students from 2011 to 2016. About 68% of current and former smokers began by the age of 18, the highest use is in the 18-24 age group, with over 9% using ecigarettes and just over 12% of youth report using ecigarettes in the last 30 days. In 2016, about 3 of every 100 middle school students and nearly 10 of every 100 high school students reported current use of two or more tobacco products in the past 30 days. In 2016, about 7 of every 100 middle school students and about 20 of every 100 high school students reported current use of some type of tobacco product. In 2016 2.2% of middle school and 5.8% of high school students reported current use of smokeless tobacco.

Our problem areas are the very rural and economically disadvantaged communities that have limited governmental interaction and have never had tobacco law inspections or enforcement actions. Some of these areas have employees with limited English speaking abilities and do not appear to be monitored to ensure the employee is following tobacco laws. Our team will conduct operations at these locations before moving to more populated regions of the County.

Project Description

In October 2018 TCSO started a program in partnership with Tulare County Office of Education and Tulare County Health and Human Services Agency with funds received through a tobacco grant, to conduct tobacco retail sales inspections, retailer

training, presentations at schools and community events, and enforcement of tobacco laws. Prior to this there was no law enforcement tobacco enforcement conducted by any agency in Tulare County, nor has there been for any time in the recent past. With this proposed equipment and staffing model, TCSO will provide law enforcement direction and will collaborate with community based partners, DA, Probation, and Public Health, to enforce tobacco laws and educate youth on tobacco related issues. With the overall goal of diverting youth from using tobacco products, illegal sales, and unlawful marketing. TCSO will not only look at the quantitative measures such as stats but also the qualitative results such as the unexpected/unintended results.

Goal 1: Investigate, prosecute, and hold offenders accountable in tobacco related violations.

Objective 1: Respond to and investigate complaints of problematic retailers or others for sales or marketing violations.

Objective 2: Cite or arrest violators.

Goal 2: Proactively enforce tobacco laws targeting those under the legal age for consumption. Press releases will be completed after enforcement operations.

Objective 1: Conduct 36 "minor-decoy" operations at tobacco retail stores.

Goal 3: Ensure tobacco sales retailers are following sales guidelines.

Objective: Train six sworn personnel in the laws related to retail sales of tobacco products

- Familiarizing officers with current tobacco products on the market.
- Provide updates on the marketing of tobacco products to youth and the prevalence of youth tobacco use.
- Facilitate interactive discussion on the key elements of conducting undercover operations specific to underage tobacco sales.

Goal 4: Identify and coordinate activities on issues involving tobacco product use.

Objective 1: Membership in the Tulare County Tobacco-Free Coalition to identify and address local tobacco-related issues and needs assessment.

Objective 2: Assigned one deputy to work directly with the County Office of Education Tobacco education section to conduct presentation and outreach to students.

Goal 5: Outreach to the community on the dangers of tobacco use and legalities.

Objective 1: Attend County Office of Education and Public Health school events or assemblies, community events, health fairs, or other venues providing literature, conversation, and behavior modification items on preventing underage tobacco use and the dangers of using any tobacco related product.

Iulare County Sheriff's Office 18-10494 Total: Page 7 of 11 Scope of Work Page: 1 of 5

Objective 2: Bring or allow mutual-aid use of the mobile message board at events with local PSA public health tobacco videos or other information related to tobacco use to educate and converse.

Objective 3: Provide staff to periodically drive the mobile message board on highly traveled roads as well as rural country roads where billboards are not present, promoting local and state PSA anti-tobacco information.

Project Personnel

The grant goals and objectives consisting of two prongs, education and enforcement, will be overseen by a Captain who manages our Patrol Division. The Captain will manage budgets and records, complete press releases and evaluations, monitor program time frames, goals and objectives, collaborate with involved agencies, while ensuring the DA and Probation Departments support the program.

Education opportunities, event participation, and mobile message board use are coordinated by our agencies Employee Public Relations Unit (EPRU), managed by a seasoned Lieutenant with assigned sworn and non-sworn support staff. The EPRU Sergeant is already supervising the day-to-day outreach portion of our program, reaching out to schools, business organizations, community based organizations, and other anti-tobacco support agencies, coordinate scheduling, and assign personnel as needed.

Enforcement operations will include tobacco law training, collaborating with the County Public Health Tobacco licensed retail sales inspector and collaboration with the Tulare County Office of Education on youth identified retail sales outlets. A substation commander (Lieutenant) will oversee management of enforcement operations and a sergeant will supervise the day-to-day operations of the two deputies conducting enforcement, with a goal of voluntary compliance with tobacco laws.

Both Lieutenants and Captain will meet with the DA, Probation, County Public Health personnel, and CBO's during the grant period to determine what is working, any problem or complaint driven locations that need additional scrutiny, cases sent for adjudication and strategies for enforcement and successful prosecution, and to coordinate activities. Additionally, we will continuously evaluate how we can sustain this relationship in the future to divert youth from future tobacco product use.

I ware County Sheriff's Office 18-10494 Total: Page 8 of 11 Budget Detail: 1 of 4, pages 2-4 are Exhibit B

Budget Detail

We are applying for funding to purchase one vehicle based LED PSA message board and overtime to conduct Minor Decoy enforcement operations, see attached Budget Detail worksheet. We are requesting \$240,357 during this 36-month grant period.

An estimate for Year-1 (19/20) is \$186,119 (mobile LED message board vehicle, education materials, and Minor Decoy), Year-2 (20/21) is \$27,119 (education, and Minor Decoy), and Year-3 (21/22) is \$27,119 (education, and Minor Decoy).

We have no additional funding to contribute at this time other than what grant funding is already made available to TCSO or the other partner agencies that will remain separate from this grant award.

Exhibit B, ATTACHMENT 1 CDPH TOBACCO ENFORCEMENT SECTION GRANT BUDGET DETAIL for Tulare County Sheriff's Office

Personal Services (I. E. Training,		COSIS FEI I	riscai Tear (Jul	/ 1 - June 30)
A. Coordinators, Staff/Trainees)				
Salaries				
Classification/Positions	Computation	FY 2018-19	FY 2019-20	FY 2021-22
None (Overftime Only)		\$ -	s -	s -
		\$ -	\$ -	\$ -
		s -	s -	s -
] [s -	s -	s -
	SUBTOTAL	\$ -	\$ -	\$ -
Overtime				
Classification/Positions	Computation	FY 2018-19	FY 2019-20	FY 2021-22
Depuly II, Step 5	864 man hrs @ OT rate \$50.37 per hr / 3 years	\$ 14,507	\$ 14,507	\$ 14,507
Sergeant, Step 5	432 man hrs @ OT rate \$62.96 per hr / 3 years	\$ 9,066	\$ 9,066	\$ 9,066
		\$ -		
		\$ -	\$ -	\$ -
	SUBTOTAL	\$ 23,573	\$ 23,573	\$ 23,573
Benefits				
Classification/Positions	Computation	FY 2018-19	FY 2019-20	FY 2021-22
Deputy II, Step 5	Social Security \$14,507 x .0765 per year	\$ 1,110	\$ 1,110	\$ 1,110
Sergeant, Step 5	Social Security \$9,066 x .0765 per year	\$ 694	\$ 694	\$ 694
		\$ -		
		s -	s -	s -
			<u> </u>	·
	SUBTOTAL	\$ 1,804	\$ 1,804	\$ 1,804
	TOTAL PERSONAL SERVICES	\$ 25,377	\$ 25,377	\$ 25,377
B. Operating Expenses (e.g. supplies, signage	e, tobacco products, etc.)			
Description	Computation	FY 2018-19	FY 2019-20	FY 2021-22
Buy Money	\$40 per month x 36 months / 3 years	\$ 480	\$ 480	\$ 480
Behavior Modification Items - TBD	S1,000 per year x 3 years	\$ 1,000	s 1,000	\$ 1,000
		s -	s -	s -
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	TOTAL	\$ 1,480	\$ 1,480	\$ 1,480

Costs Per Fiscal Year (July 1 - June 30)

C. Equipment				
Description	Computation	FY 2018-19	FY 2019-20	FY 2021-22
Mobile Vehicle Message Board inc shipping.tax, license	One	\$ 159,000	s -	s -
		\$ -	s -	\$ -
		s -	s -	\$ -
		s -	s -	\$ -
		s -	\$ -	s -
	TOTAL	\$ 159,000	\$ -	\$ -
D. Travel Expenses/Registration Fees*				
Description and Destination	Computation	FY 2018-19	FY 2019-20	FY 2021-22
Six Staff (2 per yr) to attend a one day 8 hr training	Registration - Free, CDPH sponsored	\$ -	s -	s -
Six Staff (2 per yr) to attend a one day 8 hr training	Hotel - \$90 max state rate per night (2 x \$90, 2 per yr)	\$ 180	\$ 180	\$ 180
Six Staff (2 per yr) to attend a one day 8 hr training	Per Diem - \$41 per 24 hr day - 2 x \$41 (2 per yr)	\$ 82	\$ 82	\$ 82
		\$ -		s -
For DQT-sponsored events only. Travel will only be reim	nbursed under the current state rat TOTAL	\$ 262	\$ 262	\$ 262
E. Other Expenses				
Description	Computation	FY 2018-19	FY 2019-20	FY 2021-22
None		s -		s -
		s ·		\$ -
		s -		\$.
		s -		
		s -		
		L		L
	TOTAL	\$ -	<u>s</u> -	\$ -
. Administrative Costs*				
	Computation	FY 2018-19	FY 2019-20	FY 2021-22
None		\$	s -	\$ -
		\$ -	s -	s -
Administrative costs may not exceed 5% of the total budg	get. TOTAL	s -		

Budget Category	F\	/ 2018-19	FY	2019-20	FY	2021-22	Total	Request
A. Personal Services	\$	25,377	\$	25,377	\$	25,377	\$	76,131
B. Operating Expenses	\$	1,480	\$	1,480	\$	1,480	\$	4,440
C. Equipment	\$	159,000	\$		\$	-	\$	159,000
D. Travel/Registration	<u>\$</u>	262	\$	262	\$	262	\$	786
E. Other Expenses	\$		\$	-	\$	-	\$	•
Administrative Costs	\$	•	\$		\$	-	\$	-
TOTAL PROJECT COSTS	\$	186,119	\$	27,119	\$	27,119	s	240,357