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# MEMORANDUM

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Date: February 13, 2018

To: The Honorable Mark Napier  
Pima County Sheriff

From: C.H. Huckelberry  
County Administrator 

Re: **Operation Stonegarden Grants**

I appreciated receiving your February 9, 2018 memorandum regarding the above subject. I have provided a copy of your memorandum to each member of the Board of Supervisors, as well as your February 7, 2018 communication with Supervisor Ramon Valadez for additional background information.

I have inquired of our Finance and Grants and Data Office if they have any specific information regarding Operation Stonegarden (OPSG). They have informed me that this grant is monitored and managed exclusively by the Sheriff's Department.

There are a number of issues that require additional information and clarification, if possible. Hopefully, much of this information can be provided by the time the Board reconsiders their previous action of rejecting the OPSG grant.

1. Employer Related Expenses (EREs) – Based on payroll, it appears that the current ERE being applied for Sheriff's law enforcement personnel participating in OPSG is \$0.75 per every direct \$1.00 spent on overtime payroll for OPSG. Our calculation of an ERE for a Sheriff's deputy for this fiscal year is nearly \$0.79. See the attached worksheet for 2017 (2016-17) and 2018 (2017-18). These calculations include adjustments by your department. They may be appropriate, but we have no information regarding them. As you can see, the EREs should be higher for both years. Our Finance staff has developed a specific calculation (Attachment) that should provide the exact ERE to be applied to this grant and to be applied for grant funds that are expended in this fiscal year. A correct calculation of EREs should net the County significantly more revenue. Since we have very little information regarding the ERE that may have been applied in previous grant years, is it possible to determine what this ERE was for the last three federal fiscal years to determine if the County has been underfunded in receiving ERE compensation for the OPSG grant?
2. Mileage – The mileage expense of operating a marked law enforcement vehicle is \$0.76 per mile. For a 4-wheel drive law enforcement vehicle the expense is \$0.92

per mile. In obtaining the mileage reimbursement from OPSG, are we applying these cost recovery factors in receiving mileage reimbursement? Does the grant artificially cap the mileage reimbursement to a fixed amount per mile?

3. KOLD Channel 13 Story on the Border Interdiction Unit – The KOLD story has specific details regarding the activities of the Sheriff’s Border Interdiction Unit. Does the Border Interdiction Unit operate with OPSG funding or is it separately funded by your general budget? Is the overtime of the Border Interdiction Unit paid for by OPSG? There has been much information circulated regarding the Ajo Unit that participates in OPSG. Are they part of Border Interdiction Unit or are they a separate unit? If they operate under OPSG, what is the interaction of the unit with the Border Patrol?

How does the Border Interdiction Unit interact with the Border Patrol? Note the data in the Border Interdiction Unit 2017 statistics listed below differed from those outlined in your February 7, 2018 memorandum to Supervisor Valadez. Perhaps

- More than 286 arrests, leading to 390 felony and 218 misdemeanor charges
- Almost 30 stolen vehicles recovered
- More than \$216,000 in currency seized
- Nearly 140 weapons recovered
- More than 5,400 pounds of marijuana seized
- Almost 77,000 grams of meth taken off the streets
- Nearly 92,000 grams of cocaine discovered
- More than 47,000 grams of heroin found
- Over 5,300 grams of fentanyl powder and 7,600 Fentanyl pills seized
- 81 human trafficking cases investigated

Perhaps different time periods are used in these comparisons

4. Anti-Racketeering Fund – In your February 9, 2018 memorandum, you referenced the seizure of \$900,024 in US currency. I assume this seizure follows the standard forfeiture process that funds the Anti-racketeering Fund; is that correct? Also in your February 7, 2018 memorandum, you referenced 71 vehicles used in illegal activities. I assume these were also seized. Were they subject to the forfeiture process?
5. Arrest and Disposition – Of the arrests made in both memoranda, is there an appropriate data source that could easily track the case and/or case numbers of each arrestee that would indicate the citizenship status of those arrested and their disposition, i.e, released on bond, held in a detention center, etc.? I am interested in the cost of detaining a non-citizen held in our Pima County Adult Detention Center (PCADC) pending trial and/or case disposition. I have heard unconfirmed information that former Sheriff Nanos and PCADC Administrator tracked the housing costs of

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eight undocumented smugglers or “mules.” Do you have any information regarding any past study or analysis conducted by Ms. India Davis?

I have asked the County Attorney to try to isolate prosecution costs associated with arrests that may come from the Border Interdiction Unit or OPSG. In addition, I have asked our Public Defense Director to do the same for public defense costs. It is important to understand all of the costs associated with grant receipts. Unfortunately, since we do not have central grants administration over Sheriff or County Attorney grants, this data collection has been somewhat difficult in the past. I am hopeful this can be made easier through centralization or cooperation in the future.

6. Other Agency Funding Receipts for Operation Stonegarden - In your February 9, 2018 memorandum, you indicate our grant is contingent on what was part of an award to other regional partners, Marana, Oro Valley, Pascua Yaqui, South Tucson and Sahuarita Police Departments. Do we know from the grantee if the County’s rejection of this grant will affect the other agencies?

Also, how could we obtain the arrest history of these other agencies regarding their receipt and use of OPSG funds. Is there an easy method of acquiring this data, similar to what I have requested of either your office or our office of Criminal Justice Reform?

CHH/anc

Attachment

c: The Honorable Chairman and Members, Pima County Board of Supervisors  
The Honorable Barbara LaWall, Pima County Attorney  
Wendy Petersen, Assistant County Administrator  
Dean Brault, Pima County Legal Defender  
Joel Feinman, Pima County Public Defender

Pima County, Arizona  
 Payroll and Related Amounts Charged to Stongarden Grants  
 Fiscal Year 2016-17 and Fiscal Year 2017-18 Through Pay Period Ending 11/25/17

	ADP Labor Distribution Reports	Calculated Employer Paid Costs as a Percent of Salaries	Sheriff JV Adjustments <sup>1</sup>	Net Payroll and Related Charged to Stonegarden	Calculated Employer Paid Costs as a Percent of Salaries	Full Cost Employer Paid Costs as a Percent of Salaries for Full-Time Deputy <sup>2</sup>	Variable Employer Paid Costs as a Percent of Salaries for Overtime <sup>3</sup>
<b>2017</b>							
Salaries	728,119		(6,239)	721,880			
ERE	558,034	77%	(94,666)	463,368	64%	80%	68%
Total	<u>1,286,153</u>		<u>(100,905)</u>	<u>1,185,248</u>			
<b>2018</b>							
Salaries	223,891		(1,863)	222,028			
ERE	195,877	87%	(28,943)	166,934	75%	91%	79%
Total	<u>419,768</u>		<u>(30,806)</u>	<u>388,962</u>			

1 Management of elected official grants is not consolidated. Grants Management does not have detailed information about the Sheriff's JV Adjustments.

2 The full cost percent includes fixed costs such as employer-paid health and dental insurance premiums and variable employer-paid costs such as workers' compensation insurance, social security, and retirement.

3 The variable cost percent includes only the variable employer-paid costs such as workers' compensation insurance, social security and retirement.