

Memo

To: Chief Connolly
From: Lt. Surles, TASER coordinator
Date: June 7, 2016
Re: TASER information for JAG

History

The Urbana Police Department purchased TASER X2 devices in February of 2015. The training was completed and TASERs were approved for carry on March 10, 2015. UPD currently has six (6) devices. TASERs are only carried by personnel that have completed the UPD TASER training, which is in excess of the required training. Additionally, only crisis intervention team (CIT) trained officers are authorized to carry a TASER at UPD. Currently, UPD has 28 officers with CIT training. That number continues to grow after every training session however.

Usage to Date

Since deployment of the devices to the field, UPD has displayed a TASER a total of nine (9) times. UPD has discharged the TASER one (1) time. The nine displays have all been reviewed by the CPRB over the course of two (2) CPRB meetings. The one (1) discharge has not yet been reviewed by the CPRB as it just recently occurred. So as to provide the CPRB the first look and opportunity to review the UPD discharge incident, I will provide only basic information on that discharge.

A subject had ingested LSD and was naked, out of control, breaking items (to include glass), and armed with a metal pole. The subject was reported to police by a person that was close to them. UPD officers arrived and only one officer had a TASER. No other officers carrying a TASER, to include from other jurisdictions, were available to assist with the call. Fortunately, the subject in question exited a structure toward the officer with a TASER. The naked subject threatened an officer with the metal pole.

It should be noted that there was an incident in Urbana and involved UPD where a TASER was discharged; however UPD did not have an officer with a TASER working. In that case, a Champaign County Sheriff's Office deputy discharged their TASER.

Recommended Purchasing Option

I believe the best use of the 2016 JAG funds (\$11,036.54) would be to take advantage of a lease type program that Taser offers. Taking advantage of this option will accomplish several things that will be beneficial to the Urbana Police Department.

- We will be able to get eight (8) additional Tasers for CIT officers to carry, rather than only five (5) if we were to purchase them outright.
- The yearly lease fee for the eight (8) additional Tasers will be low enough (\$3,539.52) that we can pay for two years' worth of the lease with the 2016 JAG grant funds.
- We will be able to purchase enough additional Taser cartridges to account for training of all Taser officers for the next two years.

RESOLUTION NO. 2016-06-042R

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT
(JAG Grant - City of Urbana, City of
Champaign, and Champaign County)**

WHEREAS, each of the parties to the Intergovernmental Agreement between the City of Urbana, City of Champaign and the County of Champaign is a body politic organized, operating and maintaining offices within the boundaries of Champaign County, Illinois; and

WHEREAS, the City of Urbana (the "City") is an Illinois home rule unit of local government pursuant to Section 6 of Article VII of the Illinois Constitution of 1970 and the statutes of the State of Illinois; and

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.* enable the parties to enter into and execute agreements among themselves and provide authority for intergovernmental cooperation; and

WHEREAS, the City recognizes that it is appropriate and beneficial for the City and its departments to apply for and receive grants from private, state and federal agencies; and

WHEREAS, the U.S. Department of Justice, office of Justice Programs has created and operates the Edward Byrne Memorial Justice Assistance Grant Program for local units of government which maintain and operate law enforcement departments; and

WHEREAS, the U.S. Department of Justice, office of Justice Programs, has announced that it is taking applications for grant funding for FY 2016; and

WHEREAS, if received, the proceeds of the Edward Byrne Memorial Justice Assistance Grant Program are intended to fund the acquisition and/or replace of equipment useful in and beneficial to law enforcement activities; and

WHEREAS, in the past, the City has joined with one or more other communities as allocated by the U.S. Department of Justice, office of Justice Programs, in applying for and receiving grant funding from the said Edward Byrne Memorial Justice Assistance Grant Program; and

WHEREAS, in FY 2015, the City received funds from the Edward Byrne Memorial Justice Assistance Grant Program which were used to purchase six TASER devices; and

WHEREAS, the City's Civilian Police Review Board is charged with reviewing each event where a TASER is displayed or charged and the said Board has, to date, not found any improper conduct in the Urbana Police Department's displaying or charging of officers' TASERS; and

WHEREAS, the Urbana Police Department seeks to use the City's portion of the proceeds from the Edward Byrne Memorial Justice Assistance Grant Program grant to acquire eight (8) additional TASER devices for those officers who have completed TASER training.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Urbana, Illinois, resolves as follows:

Section 1.

An Intergovernmental Agreement between the Cities of Champaign and Urbana and the County of Champaign for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, in substantially the form of the copy of said Agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2.

The Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is hereby authorized to attest to said execution of said Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED BY THE CITY COUNCIL this ____ day of _____, 2015.

Phyllis D. Clark, City Clerk

APPROVED BY THE MAYOR this ____ day of _____, _____.

Laurel Lunt Prussing, Mayor

**INTERGOVERNMENTAL AGREEMENT
JAG PROGRAM**

(City of Champaign, City of Urbana, and Champaign County)

THIS AGREEMENT is made and entered by and among the City of Champaign, an Illinois Municipal Corporation ("Champaign"), City of Urbana, an Illinois Municipal Corporation ("Urbana"), and Champaign County, an Illinois Unit of Local Government ("County"), - (herein after collectively referred to as "the parties"), effective on the last date signed by a party hereto.

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq. enables the parties to enter into agreements among themselves and provide authority for intergovernmental cooperation; and

WHEREAS, The Edward Byrne Memorial Justice Assistance Grant Program (JAG) is a partnership among federal, state, and local governments to create safer communities by improving the functioning of the criminal justice system; and

WHEREAS, Champaign, Urbana, and County desire to apply for JAG funds to fund individual projects in the City of Champaign, the City of Urbana, and Champaign County

NOW, THEREFORE, the parties agree as follows:

Section 1. The Funds. The parties acknowledge, as of the date of this Agreement, the total anticipated grant available to all parties is SIXTY-EIGHT THOUSAND NINE HUNDRED SIXTY-TWO DOLLARS (\$68,962.00).

Section 2. Grant Disposition. Proceeds from the grant shall be distributed by Champaign to Urbana and County for funding individual local projects fitting into the JAG guidelines, in the amounts set forth in Exhibit A. Urbana and County shall notify Champaign prior to expenditure of any funds indicating the purpose of the expenditure. If Champaign determines the purpose is not, or may not be, within the JAG program guidelines, the parties shall discuss the purchase and no purchase shall be made until the parties have resolved the issue.

Section 3. Lead Agency. The City of Champaign is hereby designated the Lead Agency for this Agreement. Responsibilities shall include leading the application process for the JAG funds, accepting any and all funds awarded through the JAG program, establishing a trust fund in which to deposit the funds received through the JAG program, distributing funds to Urbana and County, and preparing required reports.

Section 4. Representative; Information Requirements. Each participant shall designate one representative to fulfill the requirements of this Agreement. The representative shall exercise due diligence in providing any and all information necessary or convenient for the performance of the duties required by Champaign in Section 3 above, including submitting the JAG application and preparation of performance measures and program assessment data.

Section 5. Fund Restriction. The parties agree that no funds will be used directly or indirectly for security enhancements or equipment to nongovernmental entities not engaged in criminal justice or public safety, and that the funds will not supplant existing budgeted funds.

Section 6. Liability. Nothing in the performance of this Agreement shall impose any liability for claims against any party other than claims for which liability may be imposed by the Illinois Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/1-101 *et seq.* Each party to this Agreement shall be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party. The parties to this Agreement do not intend for any third party to obtain any rights by virtue of this Agreement.

Section 7. Amendments. Amendments to this Agreement shall be made in writing and signed by all parties. In the event the amount of funds received is different from the amount set forth in Section 1, the parties shall exercise principles of good faith and fair dealing to amend Exhibit A in a manner consistent with the principles of this Agreement and in accordance with all JAG program requirements. Such amendments may be entered into by the chief administrative officers of Champaign, Urbana, and County.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date and year indicated herein.

CITY OF CHAMPAIGN

CHAMPAIGN COUNTY

By: _____

By: _____

Date: _____

Date: _____

ATTEST: _____

ATTEST: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

City Attorney CB 2016-_____

State's Attorney

CITY OF URBANA

By: _____

Date: _____

ATTEST: _____

APPROVED AS TO FORM:

City Attorney CB 2016-_____

EXHIBIT A
(City of Champaign, City of Urbana, and Champaign County)

JAG AWARD DISPOSITION

The 2016 JAG funds will be distributed to the Champaign Police Department, the Urbana Police Department, and the Champaign County Sheriff's Office to fund individual projects meeting the guidelines of the JAG grant.

Champaign Police Department	\$53,787.74
Urbana Police Department	\$11,036.54
Champaign County Sheriff's Office	\$4,137.72
TOTAL	\$68,962

ORDINANCE NO. 2016-06-049

**AN ORDINANCE REVISING THE
ANNUAL BUDGET ORDINANCE FOR FY2016/17
(JAG Grant)**

WHEREAS, the Annual Budget Ordinance of and for the City of Urbana, Champaign County, Illinois, for the fiscal year beginning July 1, 2016, and ending June 30, 2017, (the “Annual Budget Ordinance”) has been duly adopted according to Sections 8-2-9.1 et seq. of the Illinois Municipal Code (the “Municipal Code”) and Division 2, entitled “Budget”, of Article VI, entitled “Finances and Purchases”, of Chapter 2, entitled “Administration”, of the Code of Ordinances, City of Urbana, Illinois (the “City Code”); and

WHEREAS, the City Council of the said City of Urbana finds it necessary to revise said Annual Budget Ordinance by deleting, adding to, changing or creating sub-classes within object classes and object classes themselves; and

WHEREAS, funds are available to effectuate the purpose of such revision; and

WHEREAS, such revision is not one that may be made by the Budget Director under the authority so delegated to the Budget Director pursuant to section 8-2-9.6 of the Municipal Code and section 2-133 of the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the Annual Budget for FY2016/17, as revised, is hereby revised to provide as outlined in the attached Exhibit A.

Section 2. This Ordinance shall be effective immediately upon passage and approval and shall not be published.

Section 3. This Ordinance is hereby passed by the affirmative vote of two-thirds of the members of the corporate authorities then holding office, the "ayes" and "nays" being called at a regular meeting of said Council.

PASSED by the City Council this _____ day of _____, _____.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, _____.

Laurel Lunt Prussing, Mayor

Budget Amendment 2016/17 - Exhibit A

		<u>Current Budget</u>	<u>Revised Budget</u>	<u>Difference</u>	<u>Reason</u>
General Operating Fund					
<u>Revenues</u>					
009-0-0202-0000	Police Grants	-	11,037	11,037	JAG grant revenue
<u>Total Revenues</u>		<u>33,091,193</u>	<u>33,102,230</u>	<u>11,037</u>	
<u>Expenditures</u>					
045-2-1200-2143	JAG Grant - Equipment	-	11,037	11,037	purchase equipment
<u>Total Expenditures</u>		<u>34,927,197</u>	<u>34,938,234</u>	<u>11,037</u>	
<u>Ending Fund Balance</u>		<u>6,920,715</u>	<u>6,920,715</u>	<u>-</u>	