



City of San Antonio

Agenda Memorandum

File Number:18-5537

Agenda Item Number: 16.

Agenda Date: 10/18/2018

In Control: City Council A Session

DEPARTMENT: Police

DEPARTMENT HEAD: William P. McManus, Chief of Police

COUNCIL DISTRICTS IMPACTED: City wide

SUBJECT:

An Ordinance authorizing the acceptance of a grant in the amount of \$228,260.00 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the FY 2018 Intellectual Property, Enforcement Program: Protecting Public Health, Safety, and the Economy from Counterfeit Goods and Product Piracy Grant.

SUMMARY:

On May 18, 2018, the San Antonio Police Department (SAPD) submitted a Special Category Grant Opportunity Submission Authorization Request to apply for a U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) Intellectual Property Enforcement Program (IPEP): Protecting Public Health, Safety, and the Economy from Counterfeit Goods and Product Piracy Grant. This ordinance approves the acceptance of the FY 2018 IPEP grant award and establishes a budget for the grant period October 1, 2018 to September 30, 2020.

BACKGROUND INFORMATION:

The grant application was submitted to the DOJ/OJP/BJA on June 7, 2018. The SAPD was notified on September 21, 2018, that it had been awarded \$228,260.00 for the grant period of October 1, 2018 to September 30, 2020. This program offers local governments funding for criminal investigation, prosecution, prevention, and education as it relates to intellectual property enforcement.

San Antonio is a major distribution and trafficking center for pirated and counterfeited goods protected under intellectual property laws. The main reasons for this are San Antonio's proximity to Mexico and our mild and temperate weather. San Antonio is located just 150 miles from the Port of Laredo, the 4th largest port in the U.S. and the largest inland port in the country. A large number of pirated and counterfeited goods come from Mexico and can be in San Antonio in a couple of hours to be distributed and sold locally. Also, because of San Antonio's mild and temperate weather, there are several open-air markets that offer the greatest opportunity to

vendors of pirated and counterfeited goods.

The goal of this program is to protect intellectual property rights and the public by reducing the number of pirated and counterfeited goods sold or manufactured and prosecuting those parties responsible for distributing, trafficking in, manufacturing or otherwise profiting from these illegal items. The grant will be used to fund overtime for detectives to conduct covert investigations at open-air markets and other resale businesses searching for pirated and counterfeited goods.

Our department has previously been awarded the IPEP grant: \$200,000.00 for FY 2010, \$200,000.00 for FY 2012, and \$400,000.00 for FY 2014. Only six awards of up to \$400,000.00 will be awarded this year.

ISSUE:

The proposed ordinance continues the City Council's policy of seeking intergovernmental financial assistance for City crime prevention and enforcement programs addressing intellectual property crime. The program from the Bureau of Justice Assistance will enhance the City's efforts in combating and reducing intellectual property crime.

ALTERNATIVES:

Council may choose not to accept this grant. However, choosing not to accept this grant will result in the SAPD being less proactive in investigating intellectual property crimes in our community. If this award is accepted, the number of investigations concerning intellectual property would increase resulting in more cases being filed against those parties responsible for distributing, trafficking in, manufacturing or otherwise profiting from these illegal items for possible prosecution.

FISCAL IMPACT:

This ordinance authorizes acceptance of a grant in the amount of \$228,260.00 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice. The grant does not require a cash or in-kind match. Acceptance of these grant funds will not impact the City's General Fund.

RECOMMENDATION:

Staff recommends acceptance of the FY 2018 Intellectual Property, Enforcement Program: Protecting Public Health, Safety, and the Economy from Counterfeit Goods and Product Piracy Grant to investigate intellectual property crime.