

File No. 260299

Committee Item No. 10

Board Item No. 11

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date April 22, 2026

Board of Supervisors Meeting Date April 28, 2026

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| ☐ | ☐ | Motion |
| ☐ | ☐ | Resolution |
| ☒ | ☒ | Ordinance |
| ☒ | ☒ | Legislative Digest |
| ☒ | ☒ | Budget and Legislative Analyst Report |
| ☐ | ☐ | Youth Commission Report |
| ☐ | ☐ | Introduction Form |
| ☒ | ☒ | Department/Agency Cover Letter and/or Report |
| | | • Supplemental Statement |
| | | • POL Cover Memo 3/20/2026 |
| | | • MYR Cover Letter 3/25/2026 |
| ☐ | ☐ | MOU |
| ☒ | ☒ | Grant Information Form |
| ☐ | ☐ | Grant Budget |
| ☐ | ☐ | Subcontract Budget |
| ☐ | ☐ | Contract/Agreement |
| ☐ | ☐ | Form 126 – Ethics Commission |
| ☒ | ☒ | Notice of Award/Award Letter |
| ☒ | ☒ | Application |
| ☐ | ☐ | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|-------------------------------------|-------------------------------------|---|
| ☒ | ☒ | <u>Preliminary Injunction</u> |
| ☒ | ☒ | <u>Presidential Action Memo – 30-Day Waiver 4/15/2026</u> |
| ☐ | ☐ | <u> </u> |
| ☐ | ☐ | <u> </u> |
| ☐ | ☐ | <u> </u> |
| ☐ | ☐ | <u> </u> |
| ☐ | ☐ | <u> </u> |
| ☐ | ☐ | <u> </u> |
| ☐ | ☐ | <u> </u> |

Completed by: Brent Jalipa Date April 16, 2026

Completed by: Brent Jalipa Date April 23, 2026

[Accept and Expend Grant - Retroactive - U.S. Department of Justice - Office of Community Oriented Policing Services - San Francisco Police Department - FY25 COPS Hiring Program - \$6,250,000]

Ordinance retroactively authorizing the San Francisco Police Department to accept and expend a grant in the amount of \$6,250,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) under the FY25 COPS Hiring Program to fund 50 new police officer positions for approximately one year for the period of October 1, 2025, through September 30, 2030; and amending the Annual Salary Ordinance No. 120-25 (Annual Salary Ordinance, File No. 250590 for Fiscal Years 2025-2026 and 2026-2027) to provide for the addition of 50 grant-funded positions, in Class Q002, Police Officer (50 FTEs).

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) The San Francisco Police Department applied for the FY25 COPS Hiring Program from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS) to increase community policing capacity and crime prevention efforts.

(b) On October 10, 2025, the DOJ COPS Office approved the Police Department's application in the amount of \$6,250,000 to fund 50 new police officer positions with a match amount of \$18,064,100.

1 (c) The grant award period is from October 1, 2025, to September 30, 2030.

2 (d) The grant will fund 50 entry-level police officer positions for approximately one year
3 within a three-year project period, and includes a minimum retention requirement of 12
4 months.

5 (e) The City Attorney's Office filed a lawsuit challenging certain unlawful conditions the
6 DOJ sought to impose on the Police Department's acceptance of this grant. *See City and*
7 *County of San Francisco, et al. v. U.S. Department of Justice, et al.*, Northern District Court for
8 California, Case No. 3:25-cv-09277. The challenged conditions include requirements that
9 grant recipients agree to comply with all Presidential Memoranda and all Executive Orders by
10 the President, and certify that they do not operate any programs (including any such programs
11 having components relating to diversity, equity, and inclusion) that violate any applicable
12 Federal civil rights or nondiscrimination laws. On January 21, 2026, the City obtained a
13 preliminary injunction against the DOJ enjoining its enforcement of the challenged, unlawful
14 conditions, which enabled the Police Department to accept the grant award without agreeing
15 to the challenged conditions.

16 (f) The Court's Order granting the preliminary injunction is on file with the Clerk of the
17 Board of Supervisors in File No. 260299 and is incorporated herein by reference. The City
18 Attorney's Office will be seeking summary judgment and a permanent injunction against the
19 challenged conditions.

20 (g) The grant award package, with the enjoined conditions in strikeout text, and the
21 Police Department's accompanying supplemental statement confirming its award acceptance
22 is subject to the Preliminary Injunction, is on file with the Clerk of the Board of Supervisors in
23 File No. 260299 and are incorporated herein by reference
24

25 **Section 2. Authorization to Accept and Expend Grant Funds.**

1 (a) The Board of Supervisors hereby authorizes the Police Department to retroactively
2 accept and expend, on behalf of the City and County of San Francisco, grant funds from the
3 DOJ COPS Office in the amount of \$6,250,000.

4 (b) The Board of Supervisors hereby retroactively authorizes the Police Chief or the
5 Police Chief's designee to accept the grant award, subject to the Preliminary Injunction
6 enjoining the challenged conditions.

7 (c) The Board of Supervisors hereby authorizes the Police Chief or the Police Chief's
8 designee to enter into, execute, and deliver any and all documents that the Police Department
9 determines, in consultation with the City Attorney, are in the best interests of the City, do not
10 otherwise materially increase the obligations or liabilities of the City, are necessary to
11 effectuate the purposes of the grant, and are in compliance with all applicable laws.

12 (d) The Board of Supervisors hereby authorizes the Police Department to maximize
13 use of available grants funds on program expenditures by not including indirect costs in the
14 grant budget, and waiving indirect costs.

15
16 **Section 3. Grant funded positions: Amendment to Fiscal Years 2025-2026 and**
17 **2026-2027 Annual Salary Ordinance.**

18 The hereinafter designated sections and items of Ordinance No. 120-25 (Annual Salary
19 Ordinance File No. 250590 for FY 2025-2026 and FY 2026-2027) are hereby amended to add
20 fifty (50) full-time positions (FTEs) to the Police Department as follows:

21
22 Department: 232086 POL Administration

23 Fund: 13550 SR Public Protection-Grant

24 Authority: 10001 Grants

25 Project: 10043247

Activity: 0001

Amendment	No. of Positions	Class	Compensation Schedule
Add in FY2025-2026	50.0 FTE	Q002 Police Officer	\$4,587 Biweekly

APPROVED AS TO FORM:
David Chiu, City Attorney

APPROVED AS TO CLASSIFICATION
Department of Human Resources

By: /s/ _____
Jen Huber
Deputy City Attorney

By: /s/ Kate Howard for _____
Carol Isen
Human Resources Director

APPROVED:

/s/ Sophia Kittler for _____
Daniel Lurie
Mayor

APPROVED:

/s/ Jocelyn Quintos _____
Greg Wagner
Controller

Recommended:

/s/

Derrick Lew

Chief of Police

LEGISLATIVE DIGEST

[Accept and Expend Grant - Retroactive - FY25 COPS Hiring Program - U.S. Department of Justice - Amendment to the Annual Salary Ordinance for FYs 2025-2026 and 2026-2027 - \$6,250,000]

Ordinance retroactively authorizing the San Francisco Police Department to accept and expend a grant in the amount of \$6,250,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) under the FY25 COPS Hiring Program to fund 50 new police officer positions for approximately one year for the period of October 1, 2025, through September 30, 2030; and amending the Annual Salary Ordinance No. 120-25 (Annual Salary Ordinance, File No. 250590 for Fiscal Years 2025-2026 and 2026-2027) to provide for the addition of 50 grant-funded positions, in Class Q002, Police Officer (50 FTEs).

Proposed Accept and Expend Ordinance

The proposed ordinance would retroactively authorize the San Francisco Police Department to accept and expend a grant in the amount of \$6,250,000 from the United States Department of Justice, Office of Community Oriented Policing Services, to increase community policing capacity and crime prevention efforts.

Pursuant to Administrative Code § 10.170-1(d), the ordinance would also amend the Annual Salary Ordinance to reflect the addition of fifty (50) grant-funded full-time positions in Class Q002, Police Officer.

Item 10 File 26-0299	Department: Police Department
EXECUTIVE SUMMARY	
Legislative Objectives - The proposed ordinance retroactively authorizes the San Francisco Police Department to (1) accept and expend a grant in the amount of \$6,250,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) to fund 50 new police officer positions for approximately one year from the period of October 1, 2025 through September 30, 2030, and (2) amends the Annual Salary Ordinance for Fiscal Years 2025-26 and 2026-27 to provide for the addition of 50 grant-funded police officer positions (Q002). Key Points - The proposed ordinance creates 50 new grant-funded police officer positions (Q002 classification) in the Police Department. - The proposed grant provides the City with \$6.25 million for the payment of three years of salaries and fringe benefits up to \$125,000 per officer during a five-year performance period. The Police Department must retain each grant funded position for at least 12 months after the three-year project period. Fiscal Impact - Over three years of the grant, each position would cost approximately \$486,283, for a total personnel cost for all positions of over \$24.3 million. Less the \$6.25 million from the proposed grant award, the estimated match required by the City will be over \$18 million, or 74 percent, over the three years. This exceeds the 25 percent match requirement in the grant. Matching funds would be provided by the General Fund unless the officers work at the Airport Bureau Police Department or are funded through a workorder. - If approved, costs to the City would likely be greater than these estimates, which do not include overtime and non-personnel costs. - Ongoing costs for these positions following the end of the grant period would transition to other City funding sources. Policy Consideration - The City's acceptance of the grant funds is contingent on certain conditions of the grant being restrained, including requirements that grant recipients agree to comply with all Presidential Memoranda and all Executive Orders by the President, and certify that they do not operate any programs related to diversity, equity and inclusion. The City Attorney's Office will be seeking judgment and a permanent injunction against these conditions, and a preliminary injunction will remain in effect while the Court adjudicates the summary judgment motion. If the Court does not grant a permanent injunction, the U.S. Department of Justice could terminate the grant and refuse to make future payments unless the City agrees to the challenged conditions. Recommendation - Approve the proposed ordinance.	

MANDATE STATEMENT

City Charter Section 9.118(a) states that contracts entered into by a department, board or commission having anticipated revenue to the City and County of one million dollars or more, or the modification, amendment or termination of any contract which when entered into had anticipated revenue of one million dollars or more, shall be subject to approval of the Board of Supervisors by resolution.

Administrative Code Section 10.170-1 requires Board of Supervisors approval for acceptance and expenditure of federal, state, and other grants of \$100,000 or more.

Administrative Code Section 2.1-1 states that the Board of Supervisors shall determine the maximum number of each class of employment in each of the various departments and offices of the City and County and shall fix rates and schedules of compensation.

BACKGROUND

Through the U.S. Department of Justice Community Oriented Policing Services (COPS) Office, the Police Department applied for the FY 25 COPS Hiring Program grant on June 25, 2025, and received a grant award notice on October 10, 2025. The grant award notice included the new conditions imposed by the current federal administration, including (a) requirements that grant recipients agree to comply with all Presidential Memoranda and all Executive Orders by the President, and (b) certify that they do not operate any programs that violate any applicable Federal civil rights or nondiscrimination laws, including any programs having components related to diversity, equity and inclusion. In addition, the Notice of Funding Opportunity (NOFO) prohibits COPS Office funding from being used: (c) to support a school or other educational agency that requires a COVID-19 vaccination to attend an in-person; (d) to “promote gender ideology”; (e) to pay for projects that advance diversity, equity, or inclusion, or environmental justice; (f) or if the recipient failed to protect public monuments from vandalism or destruction.

The City Attorney’s Office filed a lawsuit challenging the new conditions in SFPD’s COPS grant award on various legal grounds. The Court granted a preliminary injunction enjoining those conditions on January 21, 2026. Following the issuance of this order, the Police Department filed a supplemental statement submitted with the grant award acceptance, confirming that the Department’s consent is subject to the preliminary injunction and contingent on these conditions being restrained.

According to the City Attorney’s Office, the federal government did not appeal the preliminary injunction. The City Attorney’s Office will file a motion for summary judgment on April 17, 2026, seeking final judgment and a permanent injunction against the challenged conditions. The City’s motion will raise similar legal arguments to those raised in the City’s preliminary injunction motion. The Court will hear the motion on August 20, 2026. The January 21 preliminary injunction will continue to remain in place while the Court adjudicates the summary judgment motion.

The grant award also includes a condition that the grantee must comply with 8 U.S.C. 1373 concerning the exchange of information regarding immigration status of individuals with other governments. According to the City Attorney's Office, the Ninth Circuit Court of Appeals has previously ruled that the City's Sanctuary Ordinance complies with this statute.

DETAILS OF PROPOSED LEGISLATION

The proposed ordinance retroactively authorizes the San Francisco Police Department to (1) accept and expend a grant in the amount of \$6,250,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) to fund 50 new police officer positions for approximately one year from the period of October 1, 2025 through September 30, 2030, and (2) amends the Annual Salary Ordinance for Fiscal Years 2025-26 and 2026-27 to provide for the addition of 50 grant-funded police officer positions (Q002).

Program Description

According to the grant award, the FY25 COPS Hiring Program provides funding to law enforcement agencies to hire and/or rehire additional career law enforcement officers to increase community policing capacity and crime prevention efforts. The anticipated outcomes of the grant include engagement in planned community partnerships, implementation of projects to analyze and assess problems, implementation of changes to personnel and agency management in support of community policing, and increased capacity to engage in community policing activities.

New Grant-Funded Positions

The proposed ordinance amends the Annual Salary Ordinance for Fiscal Years 2025-26 and 2026-27 to create 50 new grant-funded police officer positions (Q002 classification) in the Police Department.

In accordance with grant requirements, the Department can allocate up to 50 percent of recruits from each police academy class to the grant. As of April 2026, 14 grant-funded positions were filled from the December 2025 academy class, and 13 grant-funded positions were filled from the February 2026 class. The Department plans to fill the remaining 23 grant-funded positions through future academy classes.

Grant Agreement

The proposed grant provides the City \$6.25 million to fund 50 additional police officers (Q002) positions in the Police Department. The grant term is five years from October 1, 2025 through September 30, 2030.

The funding is for the payment of three years of salaries and fringe benefits up to \$125,000 per officer during a five-year performance period. The Police Department must retain each grant funded position for at least 12 months after the three-year project period. The Police Department may not reduce its existing budget for sworn officers to make use of the grant award. Any budget cuts must be unrelated to the receipt of grant funds.

Match Requirement and Matching Funds

The FY 25 COPS Hiring Program requires grantees to provide at least 25 percent of the grant award. The local match must be from funds not previously budgeted for law enforcement purposes and must be paid during the award period.

The grant budget assumes a progressively larger share of the cost of the grant with local funds over the three-year project period, as part of the local match requirement. As a result, the local share must increase over time, while the federal share must decrease.

Following the conclusion of the project period, the ongoing costs to support these 50 officers will transition to other funding sources, depending on their assignment. Unless the officers work at the Airport Bureau Police Department or are funded through a workorder, they will be funded by the General Fund.

FISCAL IMPACT

The proposed grant budget of \$6.25 million will support the hiring of 50 new police officer positions over three years.

The estimated annual personnel cost per officer is shown in Exhibit 1 below.

Exhibit 1: Estimated Annual Costs per New Police Officer

Personnel Cost	Year 1	Year 2	Year 3	Total
Wages	\$119,251	\$122,706	\$125,759	\$367,716
Social Security	7,394	7,6078	7,797	91,269
Medicare	1,729	1,779	1,824	5,332
Health Ins	9,836	9,836	9,836	29,508
Retirement	18,365	18,897	19,367	56,629
Dental	1,433	1,433	1,433	4,299
Total Annual Cost	\$158,008	\$162,259	\$166,016	\$486,283

Source: Proposed Grant Budget

Over three years of the grant, each position would cost approximately \$486,283, for a total personnel cost for all positions of over \$24.3 million. Less the \$6.25 million from the proposed grant award, the estimated match required by the City will be over \$18 million, or 74 percent, over the three years, shown in Exhibit 2 below. Matching funds would be provided by the General Fund unless the officers work at the Airport Bureau Police Department or are funded through a workorder.

Exhibit 2: Estimated City Match Requirements During Grant Period

Total 3-Year Personnel Costs per Officer	\$486,283
Total Personnel Costs for all 50 Officers	24,314,150
Grant Award Amount	6,250,000
Estimated City Match	\$18,064,150

Source: Proposed Grant Budget

If approved, costs to the City would likely be greater than these estimates, which do not include non-personnel costs or overtime. Ongoing costs for these positions following the end of the grant period would transition to other City funding sources.

The estimated annual personnel cost per officer in FY 2028-29 is \$172,000; the total personnel costs for these 50 officers is \$8.6 million.

According to the Department, as of April 2026, there are currently 248.50 vacant full-time equivalent positions in the police officer (Q002) classification, excluding any vacancies in the Airport Bureau Police Department.

POLICY CONSIDERATION

Preliminary Injunction Against Certain Conditions

As mentioned above, the Police Department's acceptance of the grant funds is contingent on certain conditions of the grant being restrained, including requirements that grant recipients agree to comply with all Presidential Memoranda and all Executive Orders by the President, and certify that they do not operate any programs that violate any applicable Federal civil rights or nondiscrimination laws, including any programs having components related to diversity, equity and inclusion. The City Attorney's Office will be seeking judgment and a permanent injunction against the challenged conditions, and the preliminary injunction will remain in effect while the Court adjudicates the summary judgment motion. If the Court does not grant a permanent injunction, the U.S. Department of Justice could terminate the grant and refuse to make future payments unless the City agrees to the challenged conditions.

RECOMMENDATION

Approve the proposed ordinance.

File Number: 260299
(Provided by Clerk of Board of Supervisors)

Grant Ordinance Information Form
(Effective July 2011)

Purpose: Accompanies proposed Board of Supervisors ordinances authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: **FY25 COPS Hiring Program**
2. Department: **San Francisco Police Department**
3. Contact Person: **Fannie Yeung** Telephone: **415-837-7212**
4. Grant Approval Status (check one):
☒ Approved by funding agency ☐ Not yet approved
5. Amount of Grant Funding Approved or Applied for: **\$6,250,000**
6. a. Matching Funds Required: **\$18,064,100**
b. Source(s) of matching funds (if applicable):
7. a. Grant Source Agency: **U.S. Department of Justice, Office of Community Oriented Policing Services (COPS)**
b. Grant Pass-Through Agency (if applicable):
8. Proposed Grant Project Summary: **The FY25 COPS Hiring Program provides funding for 50 new entry-level police officer positions for approximately one year.**
9. Grant Project Schedule, as allowed in approval documents, or as proposed:
Start-Date: **10/01/2025** End-Date: **09/30/2030**
10. Number of new positions created and funded: **50**
11. Explain the disposition of employees once the grant ends? **Transition to general fund or non-general fund**
12. a. Amount budgeted for contractual services: **\$0**
b. Will contractual services be put out to bid?
c. If so, will contract services help to further the goals of the Department's Local Business Enterprise (LBE) requirements?
d. Is this likely to be a one-time or ongoing request for contracting out?
13. a. Does the budget include indirect costs?
☐ Yes ☒ No
b. 1. If yes, how much? \$
b. 2. How was the amount calculated?
c. 1. If no, why are indirect costs not included?
☐ Not allowed by granting agency ☒ To maximize use of grant funds on direct services
☐ Other (please explain):
c. 2. If no indirect costs are included, what would have been the indirect costs? **\$0**

14. Any other significant grant requirements or comments: The grant has a minimum retention requirement of 12 months for the 50 police officer positions.

****Disability Access Checklist****

15. This Grant is intended for activities at (check all that apply):

- | | | |
|--|---|---|
| ☐ Existing Site(s) | ☐ Existing Structure(s) | ☒ Existing Program(s) or Service(s) |
| ☐ Rehabilitated Site(s) | ☐ Rehabilitated Structure(s) | ☐ New Program(s) or Service(s) |
| ☐ New Site(s) | ☐ New Structure(s) | |

16. The Departmental ADA Coordinator or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

Comments:

Departmental ADA Coordinator or Mayor's Office of Disability Reviewer:

Penny Si

(Name)

Departmental ADA Coordinator

(Title)

Date Reviewed: March 16, 2026


(Signature Required)

Department Head or Designee Approval of Grant Information Form:

Derrick Lew

(Name)

Chief of Police

(Title)

Date Reviewed: 6/3/16/26


(Signature Required)

Standard Applicant Information

Project Information

Project Title

FY25 COPS Hiring Program

Proposed Project Start Date

10/1/25

Proposed Project End Date

9/30/30

Federal Estimated Funding (Federal Share)

6250000.0

Applicant Estimated Funding (Non-Federal Share)

18064100

Program Income Estimated Funding

0.0

Total Estimated Funding

24314100

Areas Affected by Project (Cities, Counties, States, etc.)

0/0 Items

Type Of Applicant

Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

B: County Government

Type of Applicant 3: Select Applicant Type:

Other (specify):

Application Submitter Contact Information

Application POC Prefix Name

Application POC First Name

Fannie

Application POC Middle Name

Application POC Last Name

Yeung

Application POC Suffix Name

Organizational Affiliation

Title

Grants Manager

Email ID

fannie.yeung@sfgov.org

Phone Number

415-837-7212

Fax Number

ORINumber

Executive Order and Delinquent Debt Information

Is Application Subject to Review by State Under Executive Order 12372? ☐

a. This application was made available to the State under the Executive Order 12372 Process for review on: **State Review Available Date**

06/20/2025

Is the Applicant Delinquent on Federal Debt?

No

SF424 Attachments (3)**Name**
[Form SF424_4_0-V4.0.pdf](#)**Date Added**
6/20/25**Name**
[SF424_4_0-1234-California US Districts.docx](#)**Date Added**
6/20/25**Name**
[GrantApplication.xml](#)**Date Added**
6/20/25**Authorized Representative****Law Enforcement Executive Information****Title**

SFPD Interim Chief of Police

Prefix Name

First Name Middle Name Last Name

Paul _____ Yep

Suffix Name

Government Executive Information**Title**

Chief Financial Officer

Prefix Name

First Name Middle Name Last Name

Kimmie _____ Wu

Suffix Name

Verify Legal Name, Doing Business As, and Legal Address**Legal Name**

CITY & COUNTY OF SAN FRANCISCO

Doing Business As**UEI**

SRZKDOWN293M2

Legal Address**Street 1**

1245 3RD ST

Street 2

FL 6

City

SAN FRANCISCO

State

CA

Zip/Postal Code

94158

Congressional District

11

Country

USA

Certification

The legal name + Doing Business As (DBA) and legal address define a unique entity in the system as represented in its entity profile. The profile legal name and address is applicable to ALL applications and awards associated to this fiscal agent.

1. If this information is correct confirm/acknowledge to continue with completion of this application.

I confirm this is the correct entity.

Signer Name

FANNIE YEUNG

Certification Date / Time

06/27/2025 03:39 PM

2. If the information displayed does not accurately represent the legal entity applying for federal assistance:

- Contact your Entity Administrator.
- Contact the System for Award Management (SAM.gov) to update the entity legal name/address.

3. If the above information is not the entity for which this application is being submitted, Withdraw/Delete this application. Please initiate a new application in Grants.gov with using the correct UEI/SAM profile.

Proposal Abstract

Data Requested with Application

➤ CHP NOFO FY2025

Proposal Narrative

Budget and Associated Documentation

Budget Summary

Budget Category	Total Cost
Sworn Officer Positions:	\$24,314,100.00
Civilian or Non-Sworn Personnel:	\$0.00
Travel:	\$0.00
Equipment:	\$0.00
Supplies:	\$0.00
SubAwards:	\$0.00
Procurement Contracts:	\$0.00
Other Costs:	\$0.00
Total Direct Costs:	\$24,314,100.00
Indirect Costs:	\$0.00
Total Project Costs:	\$24,314,100.00
Federal Funds:	\$6,250,000.00
Match Amount:	\$18,064,100.00
Program Income:	\$0.00

Local Match Details

Local Match Progression Table

As part of the local match requirement for the COPS Hiring Program, grantees must assume a progressively larger share of the cost of the grant with local funds over the three-year grant period. This means that your local match must increase each year, while the federal share must decrease.

Please project in the chart below how your agency plans to assume a progressively larger share of the grant cost during each year of the program. The chart is only a projection of your plans. While your agency may deviate from these specific projects during the grant period, it must still ensure that the federal share decreases and the local share increases.

	Year 1	Year 2	Year 3	Total	Total from Budget
Local Match	\$1,650,367	\$8,112,936	\$8,300,796	\$18,064,100	\$18,064,100
Federal Share	\$6,250,000			\$6,250,000	\$6,250,000
Total	\$7,900,367.48	\$8,112,936.35	\$8,300,796.17	\$24,314,100	\$24,314,100

Waiver of Local Match

The COPS Office may waive some or all of a grantee's local match requirement based on severe fiscal distress. During the application review process, your agency's waiver request will be evaluated based on the availability of funding, a demonstration of severe fiscal distress as reflected through the fiscal health data provided in the application, and a comparison of your fiscal health data with that of the overall applicant pool.

NA

Budget / Financial Attachments

Additional Attachments

No documents have been uploaded for Additional Attachments

Budget and Associated Documentation

DOES THIS BUDGET CONTAIN CONFERENCE COSTS WHICH IS DEFINED BROADLY TO INCLUDE MEETINGS, RETREATS, SEMINARS, SYMPOSIA, AND TRAINING ACTIVITIES?

Base Salary and Fringe Benefits for Sworn Officer

Sworn Officer

Position
Position Title
Sworn Officer

Position Description
Entry level officer

Number of Positions

50

Salary per Officer
Salary

Year 1

\$119,251.00

Year 2

\$122,708.00

Year 3

\$125,759.00

Fringe Benefits per Officer

Year 1

Year 2

Year 3

Social Security

6.2%

6.20%

\$7,393.58

\$7,607.77

\$7,797.08

Medicare

1.45%

1.45%

\$1,729.14

\$1,779.24

\$1,823.51

Health Insurance

Fixed Amount

\$9,836.00

\$9,836.00

\$9,836.00

Life Insurance

Exempt

\$0.00

\$0.00

\$0.00

Vacation

Included in Salary?

No

Hours

\$0.00

\$0.00

\$0.00

Sick Leave

Included in Salary?

No

Hours

\$0.00

\$0.00

\$0.00

Retirement

Fixed Rate

\$18,364.65

15.40%

\$18,896.72

15.40%

\$19,386.89

15.40%

Workers Compensation

Exempt

\$0.00

\$0.00

\$0.00

Unemployment Insurance

Exempt

\$0.00

\$0.00

\$0.00

Other Benefit

\$1,433.00

\$1,433.00

\$1,433.00

Dental Insurance

Fixed Amount

\$1,433.00

\$1,433.00

\$1,433.00

Other Benefit

\$0.00

\$0.00

\$0.00

None

Other Benefit	\$0.00	\$0.00	\$0.00
None			

Summary Totals	Year 1	Year 2	Year 3
Benefits per Officer	\$38,756.35	\$39,552.73	\$40,256.46
Salary per Officer	\$119,251.00	\$122,706.00	\$125,759.00
Total per Officer	\$158,007.35	\$162,258.73	\$166,015.46
Total per Officer All Years			
\$486,282			
Total Salary and Benefits			
\$24,314,100			

Personnel

Instructions

List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization. In the narrative section, please provide a specific description of the responsibilities and duties for each position, and explain how the responsibilities and duties support the project goals and objectives outlined in your application.

Year 1

Year 1

Personnel Detail

Name	Position	Salary	Rate	Time Worked	Percentage of Time (%)	Total Cost
No Items						

Personnel Total Cost

\$0

Additional Narrative

Fringe Benefits

Instructions

Fringe benefits should be based on the actual known costs or an approved negotiated rate by a Federal Agency. If not based on an approved negotiated rate, list the composition of the fringe benefit package. Fringe benefits are for the personnel listed in Personnel budget category listed and only for the percentage of time devoted to the project. In the narrative section, please provide a specific description for each item

Year 1

Fringe Benefit Detail

Name	Base	Rate (%)	Total Cost
No Items			

Fringe Benefits Total Cost

\$0

Additional Narrative

Travel

Instructions

Itemize travel expenses of staff personnel (e.g. staff to training, field interviews, advisory group meeting, etc.). Describe the purpose of each travel expenditure in reference to the project objectives. Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known; or if unknown, indicate "location to be determined." Indicate whether applicant's formal written travel policy or the Federal Travel Regulations are followed. Note: Travel expenses for consultants should be included in the "Consultant Travel" data fields under the "Subawards (Subgrants)/Procurement Contracts" category. For each Purpose Area applied for, the budget should include the estimated cost for travel and accommodations for two staff to attend two three-day long meetings, with one in Washington D.C. and one in their region, with the exception of Purpose Area 1, which should budget for one meeting in Washington D.C. and Purpose Areas 6 and 7, which should budget for 3 meetings within a 3 year period, with 2 in Washington D.C. and 1 within their region. All requested information must be included in the budget detail worksheet and budget narrative.

Year 1

Travel Detail

Purpose of Travel	Location	Type of Expense	Basis	Cost	Quantity	# Of Staff	# Of Trips	Total Cost	Non-Federal Contribution	Federal Request
No items										

Travel Total Cost
\$0

Equipment

Instructions

List non-expendable items that are to be purchased (Note: Organization's own capitalization policy for classification of equipment should be used). Expendable items should be included in the "Supplies" category. Applications should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technological advances. Rented or leased equipment costs should be listed in the "Contracts" data fields under the "Sub awards" (Sub grants)/Procurement Contracts" category. In the budget narrative, explain how the equipment is necessary for the success of the project, and describe the procurement method to be used. All requested information must be included in the budget detail worksheet and budget narrative.

Year 1

Equipment Detail

Equipment Item	# of Items	Cost	Total Cost	Non-Federal Contribution	Federal Request
No items					

Equipment Total Cost
\$0

Supply Items

Instructions

List items by type (office supplies, postage, training materials, copy paper, and expendable equipment items costing less than \$10,000, such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project. All requested information must be included in the budget detail worksheet and budget narrative.

Year 1

Supply Item Detail

Purpose of Supply Items	# of Items	Unit Cost	Total Cost	Non-Federal Contribution	Federal Request
No items					

Supplies Total Cost
\$0

Construction

Instructions

As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Consult with the DOJ grant-making component before budgeting funds in this category. In the narrative section, please provide a specific description for each item, and explain how the item supports the project goals and objectives outlined in your application.

Year 1

Construction Detail

Purpose of Construction	Description of Work	# of Items	Cost	Total Cost	Non-Federal Contribution	Federal Request
-------------------------	---------------------	------------	------	------------	--------------------------	-----------------

No Items

Construction Total Cost
\$0

Subawards

Instructions

Subawards (see "Subaward" definition at 2 CFR 200.92) : Provide a description of the Federal Award activities proposed to be carried out by any subrecipient and an estimate of the cost (include the cost per subrecipient, to the extent known prior to the application submission). For each subrecipient, enter the subrecipient entity name, if known. Please indicate any subaward information included under budget category Subawards (Subgrants) Contracts by including the label "(subaward)" with each subaward category.

Year 1

Subaward (Subgrant) Detail

Description	Purpose	Consultant	Country	State/U.S. Territory	City	Total Cost	Non-Federal Contribution	Federal Request
-------------	---------	------------	---------	----------------------	------	------------	--------------------------	-----------------

No Items

Subawards Total Cost
\$0

Add Consultant Travel
—

Procurement contracts (see "Contract" definition at 2 CFR 200.22): Provide a description of the product or service to be procured by contract and an estimate of the cost. Indicate whether the applicant's formal, written Procurement Policy or the Federal Acquisition Regulation is followed. Applicants are encouraged to promote free and open competition in awarding procurement contracts. A separate justification must be provided for sole source procurements in excess of the Simplified Acquisition Threshold set in accordance with 41 U.S.C. 1908 (currently set at \$250,000) for prior approval. Please provide a specific description for each item, and explain how the item supports the project goals and objectives outlined in your application. Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Unless otherwise approved by the COPS Office, approved consultant rates will be based on the salary a consultant receives from his or her primary employer. Consultant fees in excess of \$650 per day require additional written justification, and must be pre-approved in writing by the COPS Office if the consultant is hired via a noncompetitive bidding process. Please provide a specific description for each item, and explain how the item supports the project goals and objectives outlined in your application. Please visit <https://cops.usdoj.gov/grants> for a list of allowable and unallowable costs for this program.

Instructions

Procurement contracts (see "Contract" definition at 2 CFR 200.1): Provide a description of the product or service to be procured by contract and an estimate of the cost. Indicate whether the applicant's formal, written Procurement Policy or the Federal Acquisition Regulation is followed. Applicants are encouraged to promote free and open competition in awarding procurement contracts. A separate justification must be provided for noncompetitive procurements in excess of the Simplified Acquisition Threshold set in accordance with 41 U.S.C. 1908 (currently set at \$250,000).

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Written prior approval and additional justification is required for consultant fees in excess of the DOJ grant-making component's threshold for an 8-hour day.

In the narrative section, please provide a specific description for each item, and explain how the item supports the project goals and objectives outlined in your application.

Year 1

Procurement Contract Detail

Description	Purpose	Consultant	Country	State/U.S. Territory	City	Total Cost	Non-Federal Contribution	Federal Request
-------------	---------	------------	---------	----------------------	------	------------	--------------------------	-----------------

No Items

Do you need Consultant Travel?
No

Procurement Cost
\$0

Other Direct Costs

Instructions

List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, or provide a monthly rental cost and how many months to rent. All requested information must be included in the budget detail worksheet and budget narrative.

Year 1

Other Cost Detail							
Description	Quantity	Basis	Costs	Length of Time	Total Costs	Non-Federal Contribution	Federal Request
No Items							
Other Costs Total Cost							
\$0							

Indirect Costs

Instructions

Indirect costs are allowed only if: a) the applicant has a current, federally approved indirect cost rate; or b) the applicant is eligible to use and elects to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f). (See paragraph D.1.b. in Appendix VII to Part 200—States and Local Government and Indian Tribe Indirect Cost Proposals for a description of entities that may not elect to use the "de minimis" rate.) An applicant with a current, federally approved indirect cost rate must attach a copy of the rate approval, (a fully-executed, negotiated agreement). If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories. (Applicant Indian tribal governments, in particular, should review Appendix VII to Part 200—States and Local Government and Indian Tribe Indirect Cost Proposals regarding submission and documentation of indirect cost proposals.) All requested information must be included in the budget detail worksheet and budget narrative. In order to use the "de minimis" indirect rate an applicant would need to attach written documentation to the application that advises DOJ of both the applicant's eligibility (to use the "de minimis" rate) and its election. If the applicant elects the de minimis method, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. In addition, if this method is chosen then it must be used consistently for all federal awards until such time as the applicant entity chooses to negotiate a federally approved indirect cost rate.

Year 1

Indirect Cost Detail					
Description	Base	Indirect Cost Rate	Total Cost	Non-Federal Contribution	Federal Request
No Items					
Indirect Costs Total Cost					
\$0					
Additional Narrative					

Memoranda of Understanding (MOUs) and Other Supportive Documents

Memoranda of Understanding (MOUs) and Other Supportive Documents

Upload

The recommended files to upload are PDF, Microsoft Word and Excel.

No documents have been uploaded for Memoranda of Understanding (MOUs) and Other Supportive Documents

Additional Application Components

Letters of Support

No documents have been uploaded for Letters of Support.

Additional Attachments

No documents have been uploaded for Additional Attachments.

Disclosures and Assurances

No Lobbying Activities

The applicant is not required to submit a lobbying disclosure under 31 U.S.C. 1352 for this application.

No documents have been uploaded for Disclosure of Lobbying Activities.

DOJ Certified Standard Assurances

U.S. DEPARTMENT OF JUSTICE

CERTIFIED STANDARD ASSURANCES

On behalf of the Applicant, and in support of this application for a grant or cooperative agreement, I certify under penalty of perjury to the U.S. Department of Justice ("Department"), that all of the following are true and correct:

- (1) I have the authority to make the following representations on behalf of myself and the Applicant. I understand that these representations will be relied upon as material in any Department decision to make an award to the Applicant based on its application.
- (2) I certify that the Applicant has the legal authority to apply for the federal assistance sought by the application, and that it has the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project costs) to plan, manage, and complete the project described in the application properly.
- (3) I assure that, throughout the period of performance for the award (if any) made by the Department based on the application--
 - a. the Applicant will comply with all award requirements and all federal statutes and regulations applicable to the award;
 - b. the Applicant will require all subrecipients to comply with all applicable award requirements and all applicable federal statutes and regulations; and
 - c. the Applicant will maintain safeguards to address and prevent any organizational conflict of interest, and also to prohibit employees from using their positions in any manner that poses, or appears to pose, a personal or financial conflict of interest.
- (4) The Applicant understands that the federal statutes and regulations applicable to the award (if any) made by the Department based on the application specifically include statutes and regulations pertaining to civil rights and nondiscrimination, and, in addition--
 - a. the Applicant understands that the applicable statutes pertaining to civil rights will include section 601 of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); section 901 of the Education Amendments of 1972 (20 U.S.C. § 1681); and section 303 of the Age Discrimination Act of 1975 (42 U.S.C. § 6102);
 - b. the Applicant understands that the applicable statutes pertaining to nondiscrimination may include section 809(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c)); section 1407(e) of the Victims of Crime Act of 1984 (34 U.S.C. § 20110(e)); section 299A(b) of the Juvenile Justice and Delinquency Prevention Act of 2002 (34 U.S.C. § 11182(b)); and that the grant condition set out at section 40002(b)(13) of the Violence Against Women Act (34 U.S.C. § 12291(b)(13)), which will apply to all awards made by the Office on Violence Against Women, also may apply to an award made otherwise;
 - c. the Applicant understands that it must require any subrecipient to comply with all such applicable statutes (and associated regulations); and
 - d. on behalf of the Applicant, I make the specific assurances set out in 28 C.F.R. §§ 42.105 and 42.204.
- (5) The Applicant also understands that (in addition to any applicable program-specific regulations and to applicable federal regulations that pertain to civil rights and nondiscrimination) the federal regulations applicable to the award (if any) made by the Department based on the application may include, but are not limited to, 2 C.F.R. Part 2800 (the DOJ "Part 200 Uniform Requirements") and 28 C.F.R. Parts 22 (confidentiality - research and statistical information), 23 (criminal intelligence systems), 38 (regarding faith-based or religious organizations participating in federal financial assistance programs), and 46 (human subjects protection).
- (6) I assure that the Applicant will assist the Department as necessary (and will require subrecipients and contractors to assist as necessary) with the Department's compliance with section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108), the Archeological and Historical Preservation Act of 1974 (54 U.S.C. §§ 312501-312508), and the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4335), and 28 C.F.R. Parts 61 (NEPA) and 63 (floodplains and wetlands).
- (7) I assure that the Applicant will give the Department and the Government Accountability Office, through any authorized representative, access to, and opportunity to examine, all paper or electronic records related to the award (if any) made by the Department based on the application.
- (8) If this application is for an award from the National Institute of Justice or the Bureau of Justice Statistics pursuant to which award funds may be made available (whether by the award directly or by any subaward at any tier) to an institution of higher education (as defined at 34 U.S.C. § 10251(a)(17)), I assure that, if any award funds actually are made available to such an institution, the Applicant will require that, throughout the period of performance--
 - a. each such institution comply with any requirements that are imposed on it by the First Amendment to the Constitution of the United States; and
 - b. subject to par. a, each such institution comply with its own representations, if any, concerning academic freedom, freedom of inquiry and debate, research independence, and research integrity, at the institution, that are included in promotional materials, in official statements, in formal policies, in applications for grants (including this award application), for accreditation, or for licensing, or in submissions relating to such grants, accreditation, or licensing, or that otherwise are made or disseminated to students, to faculty, or to the general public.
- (9) I assure that, if the Applicant is a governmental entity, with respect to the award (if any) made by the Department based on the application--
 - a. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
 - b. it will comply with requirements of 5 U.S.C. §§ 1501-1508 and 7324-7328, which limit certain political activities of State or local government employees whose principal employment is in connection with an

(10) If the Applicant applies for and receives an award from the Office of Community Oriented Policing Services (COPS Office), I assure that as required by 34 U.S.C. § 10382(c)(11), it will, to the extent practicable and consistent with applicable law—including, but not limited to, the Indian Self-Determination and Education Assistance Act—seek, recruit, and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions, as provided under 34 U.S.C. § 10382(c)(11).

(11) If the Applicant applies for and receives a DOJ award under the STOP School Violence Act program, I assure as required by 34 U.S.C. § 10552(a)(3), that it will maintain and report such data, records, and information (programmatic and financial) as DOJ may reasonably require.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the Applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that the Department's awards, including certifications provided in connection with such awards, are subject to review by the Department, including by its Office of the Inspector General.

Please Acknowledge:

Signed

SignerID

fannie.yeung@efgov.org

Signing Date / Time

6/25/25 7:04 PM

DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements; Law Enforcement and Community Policing

U.S. DEPARTMENT OF JUSTICE

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; DRUG-FREE WORKPLACE REQUIREMENTS; COORDINATION WITH AFFECTED AGENCIES

Applicants should refer to the regulations and other requirements cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations or other cited requirements before completing this form. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the U.S. Department of Justice ("Department") determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by 31 U.S.C. § 1352, as implemented by 28 C.F.R. Part 59, the Applicant certifies and assures (to the extent applicable) the following:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If the Applicant's request for Federal funds is in excess of \$100,000, and any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal grant or cooperative agreement, the Applicant shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities" in accordance with its (and any DOJ awarding agency's) instructions; and

(c) The Applicant shall require that the language of this certification be included in the award documents for all subgrants and procurement contracts (and their subcontracts) funded with Federal award funds and shall ensure that any certifications or lobbying disclosures required of recipients of such subgrants and procurement contracts (or their subcontractors) are made and filed in accordance with 31 U.S.C. § 1352.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

A. Pursuant to Department regulations on nonprocurement debarment and suspension implemented at 2 C.F.R. Part 2867, and to other related requirements, the Applicant certifies, with respect to prospective participants in a primary tier "covered transaction," as defined at 2 C.F.R. § 2867.20(a), that neither it nor any of its principals--

(a) is presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) has within a three-year period preceding this application been convicted of a felony criminal violation under any Federal law, or been convicted or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, tribal, or local) transaction or private agreement or transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion or receiving stolen property, making false claims, or obstruction of justice, or commission of any offense indicating a lack of business integrity or business honesty that seriously and directly affects its (or its principals') present responsibilities;

(c) is presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, tribal, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and/or

(d) has within a three-year period preceding this application had one or more public transactions (Federal, State, tribal, or local) terminated for cause or default.

B. Where the Applicant is unable to certify to any of the statements in this certification, it shall attach an explanation to this application. Where the Applicant or any of its principals was convicted, within a three-year period preceding this application, of a felony criminal violation under any Federal law, the Applicant also must disclose such felony criminal conviction in writing to the Department (for OJP Applicants, to OJP at Discompliance@usdoj.gov; for OJP Applicants, to OJP at Discompliance@usdoj.gov; for OJV Applicants, to OJV at OVW.GFMD@usdoj.gov; or for COPS Applicants, to COPS at AskCOPS@usdoj.gov), unless such disclosure has already been made.

3. FEDERAL TAXES

A. If the Applicant is a corporation, it certifies either that (1) the corporation has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, or (2) the corporation has provided written notice of such an unpaid tax liability (or liabilities) to the Department (for OJP Applicants, to OJP at Discompliance@usdoj.gov; for OJV Applicants, to OJV at OVW.GFMD@usdoj.gov; or for COPS Applicants, to COPS at AskCOPS@usdoj.gov).

B. Where the Applicant is unable to certify to any of the statements in this certification, it shall attach an explanation to this application.

4. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, as implemented at 28 C.F.R. Part 83, Subpart F, for grantees, as defined at 28 C.F.R. §§ 83.620 and 83.650:

A. The Applicant certifies and assures that it will, or will continue to, provide a drug-free workplace by--

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about--

- (1) The dangers of drug abuse in the workplace;
- (2) The Applicant's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the award be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the award, the employee will--

- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of the employee's conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the Department, in writing, within 10 calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title of any such convicted employee to the Department, as follows:

For COPS award recipients - COPS Office, 145 N Street, NE, Washington, DC, 20530;

For OJP and OJV award recipients - U.S. Department of Justice, Office of Justice Programs, ATTN: Control Desk, 999 North Capitol Street, NE Washington, DC 20531.

Notice shall include the identification number(s) of each affected award;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted:

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f);

5. COORDINATION REQUIRED UNDER PUBLIC SAFETY AND COMMUNITY POLICING PROGRAMS

As required by the Public Safety Partnership and Community Policing Act of 1994, at 34 U.S.C. § 10382(c) (5), if this application is for a COPS award, the Applicant certifies that there has been appropriate coordination with all agencies that may be affected by its award. Affected agencies may include, among others, Offices of the United States Attorneys; State, local, or tribal prosecutors; or correctional agencies.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the Applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that the Department's awards, including certifications provided in connection with such awards, are subject to review by the Department, including by its Office of the Inspector General.

Please Acknowledge *

Certified

Signed

fannie.yeung@sfgov.org

Signing Date / Time

8/25/25 7:05 PM

Other Disclosures and Assurances

No documents have been uploaded for Other Disclosures and Assurances

Declaration and Certification to the U.S. Department of Justice as to this Application Submission

By [taking this action], I –

1. Declare the following to the U.S. Department of Justice (DOJ), under penalty of perjury: (1) I have authority to make this declaration and certification on behalf of the applicant; (2) I have conducted or there was conducted (including by the applicant's legal counsel as appropriate, and made available to me) a diligent review of all requirements pertinent to and all matters encompassed by this declaration and certification.
2. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this application submission: (1) I have reviewed this application and all supporting materials submitted in connection therewith (including anything submitted in support of this application by any person on behalf of the applicant before or at the time of the application submission and any materials that accompany this declaration and certification); (2) The information in this application and in all supporting materials is accurate, true, and complete information as of the date of this request; and (3) I have the authority to submit this application on behalf of the applicant.
3. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

Please Acknowledge •

Signed

SignerID

fannie.yeung@sfgov.org

Signing Date / Time

6/25/25 7:06 PM

Other

No documents have been uploaded for Other

Certified



Department of Justice (DOJ)

Office of Community Oriented Policing Services (COPS Office)

Washington, D.C. 20531

Name and Address of Recipient:	CITY & COUNTY OF SAN FRANCISCO 1245 3RD ST FL 6
City, State and Zip:	SAN FRANCISCO, CA 94158
Recipient UEI:	SRZKDWN293M2
Project Title: FY25 COPS Hiring Program	Award Number: 15JCOPS-25-GG-00974-UHPX
Solicitation Title: FY25 COPS Hiring Program	
Federal Award Amount: \$6,250,000.00	Federal Award Date: 10/10/25
Awarding Agency:	Office of Community Oriented Policing Services
Award Type:	Initial
Funding Instrument Type:	Grant
Opportunity Category: D	
Assistance Listing: 16.068 - COPS Hiring Program	
Project Period Start Date: 10/1/25	Project Period End Date: 9/30/30
Budget Period Start Date: 10/1/25	Budget Period End Date: 9/30/30
Project Description: The FY25 COPS Hiring Program (CHP) provides funding to law enforcement agencies to hire and/or rehire additional career law enforcement officers in an effort to increase their community policing capacity and crime prevention efforts. Anticipated outcomes of CHP awards include engagement in planned community partnerships, implementation of projects to analyze and assess problems, implementation of changes to personnel and agency management in support of community policing, and increased capacity of agency to engage in community policing activities	

Award Letter

October 10, 2025

Dear Paul Yep,

On behalf of Attorney General Pamela Bondi, it is my pleasure to inform you the Office of Community Oriented Policing Services (the COPS Office) has approved the application submitted by CITY & COUNTY OF SAN FRANCISCO for an award under the funding opportunity entitled 2025 FY25 COPS Hiring Program. The approved award amount is \$6,250,000.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance. For COPS Office and OVW funding the Award Offer also includes any Other Award Documents.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the

assurances and certifications, and the application as approved by the COPS Office, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Cory D. Randolph
COPS Acting Director

Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) enforces federal civil rights laws and other provisions that prohibit discrimination by recipients of federal financial assistance from OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW).

Several civil rights laws, including Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance (recipients) to give assurances that they will comply with those laws. Taken together, these and other civil rights laws prohibit recipients from discriminating in the provision of services and employment because of race, color, national origin, religion, disability, and sex or from discriminating in the provision of services on the bases of age.

Some recipients of DOJ financial assistance have additional obligations to comply with other applicable nondiscrimination provisions like the Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of religion in addition to race, color, national origin, and sex. Recipients may also have related requirements regarding the development and implementation of equal employment opportunity programs.

OCR provides technical assistance, training, and other resources to help recipients comply with civil rights obligations. Further, OCR administratively enforces civil rights laws and nondiscrimination provisions by investigating DOJ recipients that are the subject of discrimination complaints. In addition, OCR conducts compliance reviews of DOJ recipients based on regulatory criteria. These investigations and compliance reviews permit OCR to evaluate whether DOJ recipients are providing services to the public and engaging in employment practices in a nondiscriminatory manner.

For more information about OCR, your civil rights and nondiscrimination responsibilities, how to notify your employees or beneficiaries of their civil rights protections and responsibilities and how to file a complaint, as well as technical assistance, training, and other resources, please visit www.ojp.gov/program/civil-rights-office/outreach. If you would like OCR to assist you in fulfilling your civil rights or nondiscrimination responsibilities, please contact us at askOCR@ojp.usdoj.gov or www.ojp.gov/program/civil-rights-office/about#ocr-contacts.

Award Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Recipient Information

Recipient Name
CITY & COUNTY OF SAN FRANCISCO

UEI
SRZKDWN293M2

ORI Number

Street 1
1245 3RD ST

Street 2
FL 6

City
SAN FRANCISCO

State/U.S. Territory
California

Zip/Postal Code
94158

Country
United States

County/Parish

Province

Award Details

Federal Award Date
10/10/25

Award Type
Initial

Award Number
15JCOPS-25-GG-00974-UHPX

Supplement Number
00

Federal Award Amount
\$6,250,000.00

Funding Instrument Type
Grant

Assistance Listing Number	Assistance Listings Program Title
16.068	COPS Hiring Program

Statutory Authority
The Public Safety Partnership and Community Policing Act of 1994, 34 U.S.C. § 10381 et seq

[X] I have read and understand the information presented in this section of the Federal Award Instrument.

Project Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Solicitation Title
2025 FY25 COPS Hiring Program

Awarding Agency
COPS

Application Number

GRANT14447390

Grant Manager Name

Tammy Richardson

Phone Number

202-598-6908

E-mail Address

tammy.richardson2@usdoj.gov

Project Title

FY25 COPS Hiring Program

Performance Period Start Date

10/01/2025

Performance Period End Date

09/30/2030

Budget Period Start Date

10/01/2025

Budget Period End Date

09/30/2030

Project Description

The FY25 COPS Hiring Program (CHP) provides funding to law enforcement agencies to hire and/or rehire additional career law enforcement officers in an effort to increase their community policing capacity and crime prevention efforts. Anticipated outcomes of CHP awards include engagement in planned community partnerships, implementation of projects to analyze and assess problems, implementation of changes to personnel and agency management in support of community policing, and increased capacity of agency to engage in community policing activities

[X] *I have read and understand the information presented in this section of the Federal Award Instrument.*

Financial Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

A financial analysis of budgeted costs has been completed. All costs listed in the approved budget below were programmatically approved based on the final proposed detailed budget and budget narratives submitted by your agency to the COPS Office. Any adjustments or edits to the proposed budget are explained below.

Budget Clearance Date: 9/15/25 1:42 PM

Comments

No items

Budget Summary

Budget Category	Proposed Budget	Change	Approved Budget	Percentages
Sworn Officer Positions:	\$24,314,077	\$23	\$24,314,100	
Civilian or Non-Sworn Personnel:	\$0	\$0	\$0	
Travel:	\$0	\$0	\$0	
Equipment:	\$0	\$0	\$0	

Supplies:	\$0	\$0	\$0	
SubAwards:	\$0	\$0	\$0	
Procurement Contracts:	\$0	\$0	\$0	
Other Costs:	\$0	\$0	\$0	
Total Direct Costs:	\$24,314,077	\$23	\$24,314,100	
Indirect Costs:	\$0	\$0	\$0	
Total Project Costs:	\$24,314,077	\$23	\$24,314,100	
Federal Funds:	\$6,250,000	\$0	\$6,250,000	25.71%
Match Amount:	\$18,064,100	\$0	\$18,064,100	74.29%
Program Income:	\$0	\$0	\$0	0.00%

[X] *I have read and understand the information presented in this section of the Federal Award Instrument.*

Other Award Documents

Approved Problem Focus Area: Violent Crime: Cracking Down on the Open Use of Illegal Drugs

50 Full-Time Officers Funded

50 New Hires

0 Rehires Previously Laid Off

0 Rehires Scheduled for Lay Off

Veteran: 0

SRO's: 0

[X] *I have read and understand the information presented in this section of the Federal Award Instrument.*

Award Conditions

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Condition 1

Restrictions on Internal Confidentiality Agreements: No recipient or subrecipient under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an

internal confidentiality agreement or statement that prohibits or otherwise restricts the lawful reporting of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information. Full-Year Continuing Appropriations and Extensions Act, 2025, Public Law 119-4; Further Consolidated Appropriations Act, 2024, Public Law 118-47, Division B, Title VII, Section 742.

Condition 2

Compliance with 8 U.S.C. § 1373: Authority to obligate or expend contingent on compliance with this condition. State or local government entity recipients of this award, and any subrecipient of this award at any tier that is an entity of a State or of a unit of local government, must comply with 8 U.S.C. §1373, which provides that such entities may not prohibit, or in any way restrict, any government entity or official from sending to, receiving from, maintaining, or exchanging information regarding citizenship or immigration status, lawful or unlawful, of any individual with components of the U.S. Department of Homeland Security or any other federal, state or local government entity. This includes any prohibitions or restrictions imposed or established by a State or local government entity or official.

Any obligations or expenditures of a recipient or subrecipient that are impermissible under this condition shall be unallowable costs for purposes of this award.

References to the Immigration and Naturalization Service in 8 U.S.C. 1373 are to be read, as a legal matter, as references to components of the U.S. Department of Homeland Security.

Condition 3

Federal Civil Rights and Nondiscrimination Laws (certification): The recipient agrees that its compliance with all applicable Federal civil rights and nondiscrimination laws is material to the government's decision to make this award and any payment thereunder, including for purposes of the False Claims Act (31 U.S.C. 3729-3730 and 3801-3812), and, by accepting this award, certifies that it does not operate any programs (including any such programs having components relating to diversity, equity, and inclusion) that violate any applicable Federal civil rights or nondiscrimination laws.

Condition 4

Federal Laws, Presidential Memoranda, and Executive Orders: Recipients of grant funding must comply with all applicable federal laws and Presidential Memoranda and all Executive Orders by the President.

Condition 5

Award Monitoring Activities: Federal law requires that recipients receiving federal funding from the COPS Office must be monitored to ensure compliance with their award conditions and other applicable statutes and regulations. The COPS Office is also interested in tracking the progress of our programs and the advancement of community policing. Both aspects of award implementation—compliance and programmatic benefits—are part of the monitoring process coordinated by the U.S. Department of Justice. Award monitoring activities conducted by the COPS Office include site visits, enhanced office-based grant reviews, alleged noncompliance reviews, financial and programmatic reporting, and audit resolution. As a COPS Office award recipient, you agree to cooperate with and respond to any requests for information pertaining to your award. This includes all financial records, such as general accounting ledgers and all supporting documents. All information pertinent to the implementation of the award is subject to agency review throughout the life of the award, during the close-out process and for three-years after the submission of the final expenditure report. 2 C.F.R. §§ 200.334 and 200.337, and, as applicable, 34 U.S.C. § 10385(a).

Condition 6

Authorized Representative Responsibility: The recipient understands that, in accepting this award, the Authorized Representatives declare and certify, among other things, that they possess the requisite legal authority to accept the award on behalf of the recipient entity and, in so doing, accept (or adopt) all material requirements throughout the period of performance under this award. The recipient further understands, and agrees, that it will not assign anyone to the role of Authorized Representative during the period of performance under the award without first ensuring that the individual has the requisite legal authority.

Condition 7

Contract Provision: All contracts made by the award recipients under the federal award must contain the provisions required under 2 C.F.R. Part 200, Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under

Federal Awards. Please see appendices in the Award Owner's Manual for a full text of the contract provisions.

Condition 8

Award Owner's Manual: The recipient agrees to comply with the terms and conditions in the applicable award year COPS Office Program Award Owner's Manual; DOJ Grants Financial Guide; COPS Office statute (34 U.S.C. § 10381, et seq.) as applicable; Students, Teachers, and Officers Preventing (STOP) School Violence Act of 2018 (34 U.S.C. § 10551, et seq.) as applicable; the requirements of 2 C.F.R. Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards), including subsequent changes, as adopted by the U.S. Department of Justice in 2 C.F.R. § 2800.101; 48 C.F.R. Part 31 (FAR Part 31) as applicable (Contract Cost Principles and Procedures); the Cooperative Agreement as applicable; representations made in the application; and all other applicable program requirements, laws, orders, regulations, or circulars.

Failure to comply with one or more award requirements may result in remedial action including, but not limited to, withholding award funds, disallowing costs, suspending, or terminating the award, or other legal action as appropriate.

Should any provision of a condition of this award be held to be invalid or unenforceable by its terms, then that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law (to any person or circumstance) under this award. Should it be held, instead, that a condition (or a provision thereof) is of utter invalidity or unenforceability, such condition (or such provision) shall be deemed severable from this award.

Condition 9

Federal Civil Rights: The recipient and any subrecipient must comply with applicable federal civil rights and nondiscrimination statutes and regulations including: Section 601 of the Civil Rights Act of 1964 (42 U.S.C. § 2000d), as implemented in Subparts C and D of 28 C.F.R. Part 42; section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), as implemented in Subpart G of 28 C.F.R. Part 42; section 901 of the Education Amendments of 1972 (20 U.S.C. § 1681), as implemented in Subpart D of 28 C.F.R. Parts 42 and 54; section 303 of the Age Discrimination Act of 1975 (42 U.S.C. § 6102), as implemented in Subpart I of 28 C.F.R. Part 42; and section 809(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10228(c)), as implemented in Subpart D of 28 C.F.R. Part 42. In addition to applicable federal statutes and regulations that pertain to civil rights and nondiscrimination, the recipient and any subrecipient must comply with the requirements in 28 C.F.R. Parts 22 (Confidentiality of Identifiable Research and Statistical Information); 28 C.F.R. Part 23 (Criminal Intelligence Systems Operating Policies); 28 C.F.R. Part 38 (Partnerships with Faith-Based and Other Neighborhood Organizations); and 28 C.F.R. Part 46 (Protection of Human Subjects). For an overview of the civil rights laws and nondiscrimination requirements in connection with your award, please see <https://www.ojp.gov/program/civil-rights/overview>.

Condition 10

Duplicative Funding: The recipient understands and agrees to notify the COPS Office if it receives, from any other source, funding for the same item or service also funded under this award.

Condition 11

Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and COPS Office authority to terminate award): The recipient and subrecipient agree to comply with the following requirements of 2 C.F.R. Part 175, Appendix A to Part 175 – Award Term:

I. Trafficking in Persons

- (a) Provisions applicable to a recipient that is a private entity. (1) Under this award, the recipient, its employees, subrecipients under this award, and subrecipient's employees must not engage in:
- (i) Severe forms of trafficking in persons;
 - (ii) The procurement of a commercial sex act during the period of time that this award or any subaward is in effect;
 - (iii) The use of forced labor in the performance of this award or any subaward; or
 - (iv) Acts that directly support or advance trafficking in persons, including the following acts:
 - (A) Destroying, concealing, removing, confiscating, or otherwise denying an employee access to that employee's identity or immigration documents;
 - (B) Failing to provide return transportation or pay for return transportation costs to an employee from a country outside the United States to the country from which the employee was recruited upon the end of employment if requested by the employee, unless:

(1) Exempted from the requirement to provide or pay for such return transportation by the Federal department or agency providing or entering into the grant or cooperative agreement; or

(2) The employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action;

(C) Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment;

(D) Charging recruited employees a placement or recruitment fee; or

(E) Providing or arranging housing that fails to meet the host country's housing and safety standards.

(2) The Federal agency may unilaterally terminate this award or take any remedial actions authorized by 22 U.S.C. 7104b(c), without penalty, if any private entity under this award:

(i) Is determined to have violated a prohibition in paragraph (a)(1) of this appendix; or

(ii) Has an employee that is determined to have violated a prohibition in paragraph (a)(1) of this appendix through conduct that is either:

(A) Associated with the performance under this award; or

(B) Imputed to the recipient or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement)," as implemented by DOJ at 2 C.F.R. Part 2867.

(b) Provision applicable to a recipient other than a private entity. (1) The Federal agency may unilaterally terminate this award or take any remedial actions authorized by 22 U.S.C. 7104b(c), without penalty, if a subrecipient that is a private entity under this award:

(i) Is determined to have violated a prohibition in paragraph (a)(1) of this appendix; or

(ii) Has an employee that is determined to have violated a prohibition in paragraph (a)(1) of this appendix through conduct that is either:

(A) Associated with the performance under this award; or

(B) Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement)," as implemented by 2 C.F.R. Part 2867.

(c) Provisions applicable to any recipient.

(1) The recipient must inform the Federal agency and the Inspector General of the Federal agency immediately of any information you receive from any source alleging a violation of a prohibition in paragraph (a)(1) of this appendix.

(2) The Federal agency's right to unilaterally terminate this award as described in paragraphs (a)(2) or (b)(1) of this appendix:

(i) Implements the requirements of 22 U.S.C. 78, and

(ii) Is in addition to all other remedies for noncompliance that are available to the Federal agency under this award.

(3) The recipient must include the requirements of paragraph (a)(1) of this award term in any subaward it makes to a private entity.

(4) If applicable, the recipient must also comply with the compliance plan and certification requirements in 2 CFR 175.105(b).

(d) Definitions. For purposes of this award term:

Employee means either:

(1) An individual employed by the recipient or a subrecipient who is engaged in the performance of the project or program under this award; or

(2) Another person engaged in the performance of the project or program under this award and not compensated by the recipient including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing requirements.

Private Entity means any entity, including for-profit organizations, nonprofit organizations, institutions of higher education, and hospitals. The term does not include foreign public entities, Indian Tribes, local governments, or states as defined in 2 CFR 200.1.

The terms "severe forms of trafficking in persons," "commercial sex act," "sex trafficking," "Abuse or threatened abuse of law or legal process," "coercion," "debt bondage," and "involuntary servitude" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

Condition 12

Termination: Recipient understands and agrees that the COPS Office may terminate funding, in whole or in part, for the following reasons:

- (1) When the recipient fails to comply with the terms and conditions of a Federal award.
 - (2) When the recipient agrees to the termination and termination conditions.
 - (3) When the recipient provides the COPS Office written notification requesting termination including the reasons, effective date, and the portion of the award to be terminated. The COPS Office may terminate the entire award if the remaining portion will not accomplish the purposes of the award.
 - (4) Pursuant to any other award terms and conditions, including, when an award no longer effectuates the program goals or agency priorities to the extent such termination is authorized by law.
2. C.F.R. § 200.340.

Condition 13

Recipient Integrity and Performance Matters: For awards over \$500,000, the recipient agrees to comply with the following requirements of 2 C.F.R. Part 200, Appendix XII to Part 200 – Award Term and Condition for Recipient Integrity and Performance Matters:

I. Reporting of Matters Related to Recipient Integrity and Performance

(a) General Reporting Requirement.

(1) If the total value of your active grants, cooperative agreements, and procurement contracts from all Federal agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient must ensure the information available in the responsibility/qualification records through the System for Award Management (SAM.gov), about civil, criminal, or administrative proceedings described in paragraph (b) of this award term is current and complete. This is a statutory requirement under section 872 of Public Law 110–417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111–212, all information posted in responsibility/qualification records in SAM.gov on or after April 15, 2011 (except past performance reviews required for Federal procurement contracts) will be publicly available.

(b) Proceedings About Which You Must Report.

(1) You must submit the required information about each proceeding that—

(i) Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;

(ii) Reached its final disposition during the most recent five-year period; and

(iii) Is one of the following—

(A) A criminal proceeding that resulted in a conviction;

(B) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more;

(C) An administrative proceeding that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of \$5,000 or more or reimbursement, restitution, or damages in excess of \$100,000; or

(D) Any other criminal, civil, or administrative proceeding if—

(1) It could have led to an outcome described in paragraph (b)(1)(iii)(A) through (C);

(2) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and

(3) The requirement in this award term to disclose information about the proceeding does not conflict with applicable laws and regulations.

(c) Reporting Procedures. Enter the required information in SAM.gov for each proceeding described in paragraph (b) of this award term. You do not need to submit the information a second time under grants and cooperative agreements that you received if you already provided the information in SAM.gov because you were required to do so under Federal procurement contracts that you were awarded.

(d) Reporting Frequency. During any period of time when you are subject to the requirement in paragraph (a) of this award term, you must report proceedings information in SAM.gov for the most recent five-year period, either to report new information about a proceeding that you have not reported previously or affirm that there is no new information to report. If you have Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10,000,000, you must disclose semiannually any information about the criminal, civil, and administrative proceedings.

(e) Definitions. For purposes of this award term—

Administrative proceeding means a nonjudicial process that is adjudicatory in nature to make a determination of fault or liability (for example, Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with the performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.

Conviction means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere. Total value of currently active grants, cooperative agreements, and procurement contracts includes the value of the Federal share already received plus any anticipated Federal share under those awards (such as continuation funding).

Condition 14

Reporting Subawards and Executive Compensation: The recipient agrees to comply with the following requirements of 2 C.F.R. Part 170, Appendix A to Part 170 – Award Term:

I. Reporting Subawards and Executive Compensation

(a) Reporting of first-tier subawards—(1) Applicability. Unless the recipient is exempt as provided in paragraph (d) of this award term, the recipient must report each subaward that equals or exceeds \$30,000 in Federal funds for a subaward to an entity or Federal agency. The recipient must also report a subaward if a modification increases the Federal funding to an amount that equals or exceeds \$30,000. All reported subawards should reflect the total amount of the subaward.

(2) Reporting Requirements. (i) The entity or Federal agency must report each subaward described in paragraph (a)(1) of this award term to the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) at <http://www.fsrs.gov>.

(ii) For subaward information, report no later than the end of the month following the month in which the subaward was issued. (For example, if the subaward was made on November 7, 2025, the subaward must be reported by no later than December 31, 2025).

(b) Reporting total compensation of recipient executives for entities—(1) Applicability. The recipient must report the total compensation for each of the recipient's five most highly compensated executives for the preceding completed fiscal year if:

(i) The total Federal funding authorized to date under this Federal award equals or exceeds \$30,000;

(ii) in the preceding fiscal year, the recipient received:

(A) 80 percent or more of the recipient's annual gross revenues from Federal procurement contracts (and subcontracts) and Federal awards (and subawards) subject to the Transparency Act; and

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal awards (and subawards) subject to the Transparency Act; and,

(iii) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986 after receiving this subaward. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

(2) Reporting Requirements. The recipient must report executive total compensation described in paragraph (b)(1) of this appendix:

(i) As part of the recipient's registration profile at <https://www.sam.gov>.

(ii) No later than the month following the month in which this Federal award is made, and annually after that. (For example, if this Federal award was made on November 7, 2025, the executive total compensation must be reported by no later than December 31, 2025.)

(c) Reporting of total compensation of subrecipient executives—(1) Applicability. Unless a first-tier subrecipient is exempt as provided in paragraph (d) of this appendix, the recipient must report the executive total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if:

(i) The total Federal funding authorized to date under the subaward equals or exceeds \$30,000;

(ii) In the subrecipient's preceding fiscal year, the subrecipient received:

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts

(and subcontracts) and Federal awards (and subawards) subject to the Transparency Act; and,

(B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal awards (and subawards) subject to the Transparency Act; and

(iii) The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986 after receiving this subaward. (To determine if the public has access to the compensation information, see

the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

(2) Reporting Requirements. Subrecipients must report to the recipient their executive total compensation described in paragraph

(c)(1) of this appendix. The recipient is required to submit this information to the

Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) at <http://www.fsrs.gov> no

later than the end of the month following the month in which the subaward was made. (For example, if the subaward was made on November 7, 2025, the subaward must be reported by no later than December 31, 2025).

(d) Exemptions. (1) A recipient with gross income under \$300,000 in the previous tax year is exempt from the requirements to report:

(i) Subawards, and

(ii) The total compensation of the five most highly compensated executives of any subrecipient.

(e) Definitions. For purposes of this award term:

Entity includes:

(1) Whether for profit or nonprofit:

(i) A corporation;

(ii) An association;

(iii) A partnership;

(iv) A limited liability company;

(v) A limited liability partnership;

(vi) A sole proprietorship;

(vii) Any other legal business entity;

(viii) Another grantee or contractor that is not excluded by subparagraph (2); and

(ix) Any State or locality;

(2) Does not include:

(i) An individual recipient of Federal financial assistance; or

(ii) A Federal employee.

Executive means an officer, managing partner, or any other employee holding a management position.

Subaward has the meaning given in 2 CFR200.1.

Subrecipient has the meaning given in 2CFR 200.1.

Total Compensation means the cash and noncash dollar value an executive earns during an entity's preceding fiscal year. This includes all items of compensation as prescribed in 17 CFR 229.402(c)(2).

Condition 15

Assurances and Certifications: The recipient acknowledges its agreement to comply with the Assurances and Certifications forms that were signed as part of its application.

Condition 16

Conflict of Interest: Recipients and subrecipients must disclose in writing to the COPS Office or pass-through entity, as applicable, any potential conflict of interest affecting the awarded federal funding in 2 C.F.R. § 200.112.

Condition 17

Debarment and Suspension: The recipient agrees not to award federal funds under this program to any party which is debarred or suspended from participation in federal assistance programs. 2 C.F.R. Part 180 (Government-wide Nonprocurement Debarment and Suspension) and 2 C.F.R. Part 2867 (DOJ Nonprocurement Debarment and Suspension).

Condition 18

Equal Employment Opportunity Plan (EEOP): Please see the Office for Civil Rights website <https://www.ojp.gov/eeop>-notice for current information on the recipient's responsibilities related to the federal regulations pertaining to the development and implementation of an Equal Employment Opportunity Plan.

Condition 19

Employment Eligibility: The recipient agrees to complete and keep on file, as appropriate, the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form (I-9). This form is to be used by recipients of federal funds to verify that persons are eligible to work in the United States. Immigration Reform and Control Act of 1986 (IRCA), Public Law 99-603.

Condition 20

Enhancement of Contractor Protection from Reprisal for Disclosure of Certain Information: Recipients and subrecipients agree not to discharge, demote, or otherwise discriminate against an employee as reprisal for the employee disclosing information that he or she reasonably believes is evidence of gross mismanagement of a federal

contract or award, a gross waste of federal funds, an abuse of authority relating to a federal contract or award, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or award. Recipients and subrecipients also agree to provide to their employees in writing (in the predominant native language of the workforce) of the rights and remedies provided in 41 U.S.C. § 4712. Please see appendices in the Award Owner's Manual for a full text of the statute.

Condition 21

False Statements: False statements or claims made in connection with COPS Office awards may result in fines, imprisonment, debarment from participating in federal awards or contracts, and/or any other remedy available by law. 31 U.S.C. § 3729-3733.

Condition 22

Mandatory Disclosure: Recipients and subrecipients must timely disclose in writing to the Federal awarding agency or pass-through entity, as applicable, all federal criminal law violations involving fraud, bribery, or gratuity that may potentially affect the awarded federal funding. Recipients that receive an award over \$500,000 must also report certain civil, criminal, or administrative proceedings in SAM and are required to comply with the Term and Condition for Recipient Integrity and Performance Matters as set out in 2 C.F.R. Part 200, Appendix XII to Part 200. Failure to make required disclosures can result in any of the remedies, including suspension and debarment, described in 2 C.F.R. § 200.339. 2 C.F.R. § 200.113.

Condition 23

Reports/Performance Goals: To assist the COPS Office in monitoring and tracking the performance of your award, your agency will be responsible for submitting semi-annual programmatic performance reports that describe project activities during the reporting period and quarterly Federal Financial Reports using Standard Form 425 (SF-425). 2 C.F.R. §§ 200.328 - 200.329. The performance report is used to track your agency's progress in implementing the award, and, as applicable, community policing strategies including gauging the effectiveness of your agency's community policing capacity. The Federal Financial Report is used to track the expenditures of the recipient's award funds on a cumulative basis throughout the life of the award.

Condition 24

System for Award Management (SAM.gov) and Universal Identifier Requirements: The recipient agrees to comply with the following requirements of 2 C.F.R. Part 25, Appendix A to Part 25 – Award Term:

I. System for Award Management (SAM.gov) and Universal Identifier Requirements

(a) **Requirement for System for Award Management.** (1) Unless exempt from this requirement under 2 CFR 25.110, the recipient must maintain a current and active registration in SAM.gov. The recipient's registration must always be current and active until the recipient submits all final reports required under this Federal award or receives the final payment, whichever is later. The recipient must review and update its information in SAM.gov at least annually from the date of its initial registration or any subsequent updates to ensure it is current, accurate, and complete. If applicable, this includes identifying the recipient's immediate and highest-level owner and subsidiaries and providing information about the recipient's predecessors that have received a Federal award or contract within the last three years.

(b) **Requirement for Unique Entity Identifier (UEI).** (1) If the recipient is authorized to make subawards under this Federal award, the recipient:

(i) Must notify potential subrecipients that no entity may receive a subaward until the entity has provided its UEI to the recipient.

(ii) Must not make a subaward to an entity unless the entity has provided its UEI to the recipient. Subrecipients are not required to complete full registration in SAM.gov to obtain a UEI.

(c) **Definitions.** For the purposes of this award term:

System for Award Management (SAM.gov) means the Federal repository into which a recipient must provide the information required for the conduct of business as a recipient. Additional information about registration procedures may be found in SAM.gov (currently at <https://www.sam.gov>).

Unique entity identifier means the universal identifier assigned by SAM.gov to uniquely identify an entity.

Entity is defined at 2 CFR 25.400 and includes all of the following types as defined in 2 CFR 200.1:

- (1) Non-Federal entity;
- (2) Foreign organization;
- (3) Foreign public entity;

- (4) Domestic for-profit organization; and
(5) Federal agency.
Subaward has the meaning given in 2 CFR 200.1.
Subrecipient has the meaning given in 2 CFR 200.1.

Condition 25

Additional High-Risk Recipient Requirements: The recipient agrees to comply with any additional requirements that may be imposed during the award performance period if the awarding agency determines that the recipient is a high-risk recipient. 2 C.F.R. § 200.208.

Condition 26

Evaluations: The COPS Office may conduct monitoring or sponsor national evaluations of its award programs. The recipient agrees to cooperate with the monitors and evaluators. 34 U.S.C. § 10385(b).

Condition 27

Background Investigations: Recipients agree to ensure that each officer(s) hired with CHP funding will be subject to a background investigation, notify the COPS Office upon completion of the background investigation for each officer hired under the CHP award, and cooperate with the COPS Office and provide updates on the status of background investigations upon request. 2 C.F.R. § 200.208

If the COPS Office determines that CHP funds are being used to pay the salary and fringe benefits of an officer who has not undergone a background investigation, the COPS Office may temporarily suspend grant funds in accordance with 2 C.F.R. § 200.339 until the agency can demonstrate the background investigation has been completed.

Condition 28

Retention: At the time of award application, your agency committed to retaining all sworn officer positions awarded under the CHP award with state and/or local funds for a minimum of 12 months following the conclusion of 36 months of federal funding for each position, over and above the number of locally-funded sworn officer positions that would have existed in the absence of the award. Your agency cannot satisfy the retention requirement by using CHP-funded positions to fill locally-funded vacancies resulting from attrition. 34 U.S.C. § 10382 (c)(8).

Condition 29

Allowable Costs Condition: The funding under this project is for the payment of three years (36 months) of approved full-time entry-level salaries and fringe benefits during the five-year (60 months) period of performance. The maximum federal share is \$125,000 per officer position (unless a local match waiver is approved) for career law enforcement officer positions hired and/or rehired on or after the official award start date. Any salary and fringe benefit costs higher than entry-level that your agency pays a CHP-funded officer must be paid with local funds. Your agency is required to use CHP award funds for the specific hiring categories awarded. In accordance with 2 C.F.R. § 200.400(g), the recipient or subrecipient must not earn or keep any profit resulting from the award. Funding under this program may be used for the following categories:

- Hiring new officers, which includes filling existing officer vacancies that are no longer funded in your agency's budget;
- Rehiring officers laid off by any jurisdiction as a result of state, local, or Bureau of Indian Affairs (BIA) budget reductions; and/or
- Rehiring officers who were, at the time of award application, scheduled to be laid off (by your jurisdiction) on a specific future date as a result of state, local, or BIA budget reductions.

If your agency's local fiscal conditions have changed and your agency needs to change one or more of the funded hiring categories, your agency should request an award modification and receive prior approval before spending CHP funding under the new category. The approved budget in the award package specifies the amount of CHP funds awarded to your agency. Please note that the salary and fringe benefit costs requested in your CHP application may have been adjusted or removed. Your agency may only be reimbursed for the approved cost categories up to the amounts specified in the approved budget. Only actual allowable costs incurred during the award period will be eligible for reimbursement and drawdown. If your agency experiences any cost savings over the course of the award (for example, your award application overestimated the total entry-level officer salary and fringe benefits package), your agency may not use that excess funding to continue salary payments to the officers beyond 36 months. Any funds remaining after your agency has drawn down for the costs of approved salaries and fringe benefits incurred for each awarded position during the 36-month funding period will be deobligated during the closeout process and should not be spent by your agency.

Condition 30

Advancing Department of Justice Priority Problem Focus Areas: This condition applies to agencies that selected one of the following priority crime problem/focus areas to address in their COPS Hiring Program (CHP) application:

- Violent Crime
- Squatting and Encampment Enforcement
- Homeland and Border Security
- Nuisance and Abatement and Quality of Life
- School Based Policing

Your agency understands and agrees to the following: Your agency will implement the one specific community policing plan identified in your CHP award application?

Your agency will address its specific priority crime problem throughout the entire CHP award period?

Your agency will implement any organizational changes identified in its CHP award application;

Your agency will cooperate with any award monitoring by the COPS Office to ensure that it is initiating or enhancing its community policing efforts to address its priority crime problem, which may include your agency having to respond to additional or modified reporting requirements.

Condition 31

Supplementing, not Supplanting: State, local, and tribal government recipients must use award funds to supplement, and not supplant, state, local, or Bureau of Indian Affairs (BIA) funds that are already committed or otherwise would have been committed for award purposes (hiring, training, purchases, and/or activities) during the award period. In other words, state, local, and tribal government recipients may not use COPS Office funds to supplant (replace) state, local, or BIA funds that would have been dedicated to the COPS Office-funded item(s) in the absence of the COPS Office award. 34 U.S.C. § 10384(a).

Condition 32

Career Law Enforcement Officer: Officer hiring funds may only be used to pay entry-level salaries and fringe benefits for full-time "career law enforcement officers" for 36 months. The COPS Office's statute defines a "career law enforcement officer" as "a person hired on a permanent basis who is authorized by law or by a State or local public agency to engage in or supervise the prevention, detection, or investigation of violations of criminal laws." 34 U.S.C. §10389(1). A recipient agency may use officer hiring funds to pay the salary and benefits of recruits while in academy training to become "career law enforcement officers" if it is the standard practice of the agency to do so with locally-funded recruits. The State of Alaska, and any Indian tribe or tribal organization in that State, may also use officer hiring funds for a "village public safety officer" defined as "an individual employed as a village public safety officer under the program established by the State pursuant to Alaska Statute 18.65.670." Tribal Law and Order Act of 2010, Pub. L. 111-211, title II, § 247 (a)(2).

Condition 33

Local Match: COPS Hiring Program award recipients are required to contribute a local match of at least 25 percent towards the total cost of the approved award project, unless waived in writing by the COPS Office. The local match must be a cash match from funds not previously budgeted for law enforcement purposes and must be paid during the award period. The local match contribution must be made on an increasing basis during each year of the three-year award period, with the federal share decreasing accordingly. 34 U.S.C. § 10381(g).

Condition 34

Modifications: Occasionally, a change in an agency's fiscal or law enforcement situation necessitates a change in its COPS Office CHP award. Award modifications under CHP are evaluated on a case-by-case basis in accordance with 2 C.F.R. § 200.308(i). For federal awards in excess of the simplified acquisition threshold (currently \$250,000), any modification request involving the reallocation of funding between budget categories that exceed or are expected to exceed 10 percent (10%) of the total approved budget requires prior written approval by the COPS Office. Regardless of the federal award amount or budget modification percentage, any reallocation of funding is limited to approved budget categories. In addition, any budget modification that changes the scope of the project requires prior written approval by the COPS Office. In addition, please be aware that the COPS Office will not approve any modification request that results in an increase of federal funds.

In addition, modification requests should be submitted to the COPS Office when an agency determines that it will need

to shift officer positions awarded in one hiring category into a different hiring category and/or reduce the total number of positions awarded. For example, if an agency was awarded CHP funding for two new, additional sworn officer positions, but due to fiscal distress/constraints the agency needs to change the hiring category from the new hire category to the rehire category for officers laid off or scheduled for layoff on a specific future date post-application, the agency would have to request a modification. The COPS Office will only consider a modification request after an agency makes final, approved budget and/or personnel decisions. An agency may implement the modified award following written approval from the COPS Office. Please be aware that the COPS Office will not approve any modification request that results in an increase of federal funds.

During the CHP award period, it may become necessary for an agency to modify its CHP award due to changes in an agency's fiscal or law enforcement situation. Modification requests should be submitted to the COPS Office when an agency determines that it will need to shift officer positions awarded in one hiring category into a different hiring category, reduce the total number of positions awarded, shift funds among benefit categories, and/or reduce the entry-level salary and fringe benefit amounts. For example, an agency may have been awarded CHP funding for 10 new, additional full-time sworn officer positions, but due to severe fiscal distress/constraints, the agency determines it is unable to sustain all 10 positions and must reduce its request to five full-time positions; or an agency may have been awarded CHP funding for two new, additional sworn officer positions, but due to fiscal distress/constraints the agency needs to change the hiring category from the new hire category to the rehire category for officers laid off or scheduled for layoff on a specific future date post-application. Award modifications under CHP are evaluated on a case-by-case basis. The COPS Office will only consider a modification request after an agency makes final, approved budget and/or personnel decisions. An agency may implement the modified award following written approval from the COPS Office. Please be aware that the COPS Office will not approve any modification request that results in an increase of federal funds.

Condition 35

School Resource Officer (SRO) Training Requirement: COPS Office-funded SROs are required to complete a 40-hour basic SRO training course from a list of COPS Office-approved providers. Training must be completed no later than nine months after the date shown on the award congratulatory letter or six months from the date of the SRO's hire, whichever comes first. If a COPS Office-funded SRO leaves the recipient agency after completing the training, the recipient agrees to pay for the new SRO, who is assigned to backfill this position, to attend a 40-hour basic training course. The new SRO must complete the training no later than nine months after being placed in the school. If the officer has completed 40-hour basic training within the last 12 months prior to the award date, the condition has been fulfilled. Any longer than 12 months will require the officer to retake the course. The agency must coordinate with the training provider to secure funding to cover registration and travel expenses.

If your agency fails to comply with the SRO basic training within the specified timeframe, the COPS Office may temporarily suspend grant funds or take other remedial actions in accordance with 2 C.F.R. §200.339 until your agency complies with this requirement.

Condition 36

Extensions: Your agency may request an extension of the 60-month award performance period to receive additional time to implement your award program. Such extensions do not provide additional funding. Any request for an extension will be evaluated on a case-by-case basis. Only those recipients that can provide a reasonable justification for delays will be granted no-cost extensions. Reasonable justifications may include difficulties in filling COPS Office-funded positions, officer turnover, or other circumstances that interrupt the 36-month funding period. An extension allows your agency to compensate for such delays by providing additional time to complete the full 36 months of funding for each position awarded. 2 C.F.R. §§ 200.308(f)(10) and 200.309. Extension requests must be received prior to the end date of the award.

Condition 37

Contracts and/or MOUs with other Jurisdictions: Sworn law enforcement officer positions awarded must be used for law enforcement activities or services that benefit your agency and the population that it serves. The items funded under the CHP award cannot be utilized by other agencies unless the items benefit the population that your agency serves. Your agency may use items funded under the CHP award to assist other law enforcement agencies under a resource sharing, mutual aid, or other agreement to address multi-jurisdictional issues as described in the agreement.

Condition 38

Community Policing: Community policing activities to be initiated or enhanced by your agency and the officers funded by this award program were identified and described in your CHP award application. Your agency developed a

community policing plan for the CHP award with specific reference to a crime or disorder problem and the following elements of community policing: (a) problem solving—your agency’s plan to assess and respond to the problem identified; (b) community partnerships and support, including related governmental and community initiatives that complement your agency’s proposed use of CHP funding; and (c) organizational transformation—how your agency will use the funds to reorient its mission to community policing or enhance its involvement in and commitment to community policing. Throughout the CHP award period, your agency is required to implement the community policing plan it set forth in the CHP award application.

The COPS Office defines community policing as a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime. CHP awards through the specific officers funded (or an equal number of redeployed veteran officers) must be used to initiate or enhance community policing activities. All newly hired additional or rehired officers (or an equal number of redeployed veteran officers) funded under CHP must implement your agency’s approved community policing plan, which you described in your award application.

Condition 39

Memorandum of Understanding Requirement (for School Resource Officers only)

Recipients using award funding to hire and/or deploy School Resource Officers into schools understand and agree to the following:

- Your agency must submit a signed Memorandum of Understanding (MOU) between the law enforcement agency and the school partner(s) to the COPS Office before obligating or drawing down funds under this award. The MOU must be submitted to the COPS Office within 90 days of the date shown on the award letter. If your agency fails to submit the MOU within the 90 days, the COPS Office may temporarily suspend grant funds in accordance with 2 C.F.R. §200.339 until your agency submits the MOU.
- Your agency’s MOU must contain the following information?

- o The purpose of the MOU
- o Clearly defined roles and responsibilities of the school district and the law enforcement agency, focusing officers’ roles on safety
- o Information sharing
- o Supervision responsibility and chain of command for the SRO
- o Signatures

Note: Please refer to the MOU Fact Sheet for a detailed explanation of the requirements under each of the bullets.

☒ *I have read and understand the information presented in this section of the Federal Award Instrument.*

Award Acceptance

Declaration and Certification to the U.S. Department of Justice as to Acceptance

By checking the declaration and certification box below, I--

A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this declaration and certification on behalf of the applicant.

B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant’s legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.

C. Accept this award on behalf of the applicant.

D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand

that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

Agency Approval

Title of Approving Official	Name of Approving Official	Signed Date And Time
COPS Acting Director	Cory D. Randolph	9/29/25 1:32 AM

Authorized Representative

☒ Declaration and Certification (Law Enforcement Executive/Program Official)

Entity Acceptance

Title of Authorized Entity Official
Chief of Police

Name of Authorized Entity Official
Derrick Lew

Signed Date And Time
1/23/2026 3:23 PM

☒ Declaration and Certification (Government Executive/Financial Official)

Entity Acceptance

Title of Authorized Entity Official
Chief Financial Officer

Name of Authorized Entity Official
Kimmie Wu

Signed Date And Time
1/23/2026 3:27 PM

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CITY AND COUNTY OF SAN
FRANCISCO, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
JUSTICE, et al.,

Defendants.

Case No. 25-cv-09277-JD

**ORDER RE PRELIMINARY
INJUNCTION**

The City and County of San Francisco, the County of Santa Clara, the City of Tucson, and the City of San Diego challenge certain conditions imposed on federal grants awarded by the United States Department of Justice, Office of Community Oriented Policing Services (COPS Office) to fund community policing programs. Defendants are the United States Department of Justice; Attorney General Pam Bondi; the COPS Office; and Cory D. Randolph, a Deputy Director of the COPS Office.¹

The challenged conditions are requirements that grant recipients agree to comply with all “Presidential Memoranda and all Executive Orders by the President,” and certify that they do not “operate any programs (including any such programs having components relating to diversity, equity, and inclusion) that violate any applicable Federal civil rights or nondiscrimination laws.” Grant applicants were also advised that their awards could be placed on hold and “other remedial action” taken if recipients are found to have used the funding (1) to support or subsidize an educational service agency that has a COVID-19 vaccination requirement for in-person program attendance, (2) to “promote gender ideology,” (3) to pay for projects that “provide or advance

¹ The complaint identified Randolph as the Acting Director of the COPS Office, *see* Dkt. No. 17 ¶ 21, but Randolph’s declaration states that he is a Deputy Director. Dkt. No. 33 ¶ 1.

diversity, equity, inclusion, and accessibility, or environmental justice programs, services, or activities,” or (4) if the recipient “failed to protect public monuments, memorials, and statues from destruction or vandalism.”

The statute that authorizes the grants, the Public Safety Partnership and Community Policing Act, 34 U.S.C. §§ 10381 et seq., directs the Attorney General to award funds to local governments for 24 enumerated purposes directed toward promoting public safety and community policing, and having more “cops on the beat.” See 34 U.S.C. §§ 10381(a), (b); see also *City of Los Angeles v. Barr*, 929 F.3d 1163, 1183 (9th Cir. 2019) (Wardlaw, J., dissenting). The statute expressly mandates that grant applicants must “provide assurances that the applicant will, to the extent practicable, seek, recruit, and hire members of racial and ethnic minority groups and women in order to increase their ranks within the sworn positions in the law enforcement agency.” 34 U.S.C. § 10382(c)(11).

The government demands that plaintiffs agree by January 23, 2026, to the challenged conditions if they want to receive the grants. The award letters mandate that grant recipients must “accept all parts of the Award Offer,” thereby “bind[ing] the entity to the award terms and conditions,” to accept the award. Dkt. No. 20-1 at ECF pp. 29-30. Anything short of that will deprive plaintiffs of the federal grant monies earmarked for them.

Plaintiffs ask the Court to preliminarily enjoin the imposition and enforcement of the challenged conditions. Dkt. No. 20. The record demonstrates that the challenged conditions do not serve the goals and purposes mandated by Congress in the community policing statute, but rather seek to force compliance with the Executive Branch’s policy views that are wholly external to the statute. Because plaintiffs have established that they are likely to succeed on the merits of their claims, the Court enjoins the challenged conditions on a preliminary basis.²

² Many other district courts have reached the same result in similar cases. See, e.g., *City of Chicago and City of Saint Paul v. United States Department of Justice*, No. 25 C 13863, 2026 WL 114294 (N.D. Ill. Jan. 15, 2026); *Cal. v. United States Dep’t of Transp.*, 788 F. Supp. 3d 316 (D.R.I. 2025); *Martin Luther King, Jr. County v. Turner*, 785 F. Supp. 3d 863 (W.D. Wash. 2025); *Housing Authority of City and County of San Francisco v. Turner*, No. 25-cv-08859-JST, 2025 WL 3187761 (N.D. Cal. Nov. 14, 2025); *County of Santa Clara v. Noem*, No. 25-cv-08330-WHO, 2025 WL 3251660 (N.D. Cal. Nov. 21, 2025).

BACKGROUND

I. THE COMMUNITY POLICING ACT AND THE COMMUNITY ORIENTED POLICING SERVICES (COPS) OFFICE'S GRANTMAKING AUTHORITY

The parties' familiarity with the facts and the record is assumed. In pertinent summary, in 1994, the United States Congress passed the Public Safety Partnership and Community Policing Act, 34 U.S.C. §§ 10381 et seq. (Community Policing Act, or the Act or statute). The statute authorized the Attorney General to "carry out a single grant program under which the Attorney General makes grants to States, units of local government, Indian tribal governments, other public and private entities, and multi-jurisdictional or regional consortia for the purposes described" in the Act. 34 U.S.C. § 10381(a). These purposes include: (1) "to hire and train new, additional career law enforcement officers for deployment in community-oriented policing"; (2) "to provide specialized training to law enforcement officers to (A) recognize individuals who have a mental illness; and (B) properly interact with individuals who have a mental illness, including strategies for verbal de-escalation of crises"; (3) "to establish collaborative programs that enhance the ability of law enforcement agencies to address the mental health, behavioral, and substance abuse problems of individuals encountered by law enforcement officers in the line of duty"; and (4) "to establish peer mentoring mental health and wellness pilot programs within State, tribal, and local law enforcement agencies." 34 U.S.C. §§ 10381(b)(2), (19), (20), (24).

The Office of Community Oriented Policing Services (COPS Office) was created within the Department of Justice by Attorney General Janet Reno in 1994. Its role is "to handle applications and the awards of grants to cities and states for community-oriented policing" pursuant to the Community Policing Act (COPS grants). *City of Los Angeles*, 929 F.3d at 1183 (Wardlaw, J., dissenting); *see also* Dkt. No. 33 (Randolph Decl.) ¶¶ 1-3.

The statute directs that an application for a COPS grant "shall be submitted in such form, and contain such information, as the Attorney General may prescribe by regulation or guidelines," and no grant may be made unless an application has been approved by the Attorney General. 34 U.S.C. §§ 10382(a), (b). The statute also provides that, "[i]n accordance with the regulations or guidelines established by the Attorney General, each application for a grant under this subchapter

1 shall . . . provide assurances that the applicant will, to the extent practicable, seek, recruit, and hire
2 members of racial and ethnic minority groups and women in order to increase their ranks within
3 the sworn positions in the law enforcement agency.” *Id.* § 10382(c)(11).

4 Four categories of COPS grants are at issue in this case. Grants made under the COPS
5 Hiring Program provide “funding to law enforcement agencies to hire and/or rehire additional
6 career law enforcement officers in an effort to increase their community policing capacity and
7 crime prevention efforts.” Dkt. No. 21-1 at 6. Community Policing Development Microgrants are
8 designed to fund “novel or innovative approaches to problem solving by local, state, tribal, and
9 territorial law enforcement agencies that help develop law enforcement’s community policing
10 capacity through the implementation of common sense policing strategies.” Dkt. No. 21-3 at 8.
11 The Law Enforcement Mental Health and Wellness Act Implementation Projects (Mental Health
12 grants) “provide funding . . . to implement new or enhance existing programs that offer training
13 and services to support officers[’] emotional and mental health including through counseling
14 programs, peer mentoring, suicide prevention, stress reduction, and police officer family services.”
15 Dkt. No. 21-2 at 6. The Safer Outcomes grants are provided to law enforcement training
16 academies “with the goal of promoting safe outcomes during police encounters with persons in
17 crisis through the integration of de-escalation and crisis response training into their curricula.”
18 Dkt. No. 21-4 at 6.

19 **II. THE FY25 COPS GRANT PROCESS AND THE CHALLENGED CONDITIONS**

20 In May 2025, the COPS Office issued Notices of Funding Opportunities (NOFOs) to
21 announce the availability of, and application requirements for, the COPS grants at issue. *See* Dkt.
22 No. 21-1 at 1 (advising potential applicants that the COPS Office “is seeking applications for
23 funding for the FY25 COPS Hiring Program”); *see also* Dkt. No. 21-2 at 1 (Mental Health grants);
24 Dkt. No. 21-3 at 1 (Community Policing Development Microgrants); Dkt. No. 21-4 at 1 (Safer
25 Outcomes grants).

26 Each NOFO included the ensuing “restrictions,” which together constitute one of the three
27 conditions plaintiffs are challenging in this case. They were presented under the heading “Federal
28 Funding Restrictions” in the NOFO for the COPS Hiring Program, and that is the term plaintiffs

use to refer to this set of conditions in this action for all four categories of COPS grants at issue. See Dkt. No. 20 at 5, 7-8.

As the Hiring Program NOFO stated:

Federal Funding Restrictions

Please be advised that COPS Office funding must not be used for the following:

1. To directly or indirectly support or subsidize an educational service agency, state educational agency, local educational agency, elementary school, secondary school, or institution of higher education that requires students to have received a COVID-19 vaccination to attend any in-person education program.
2. To promote gender ideology.
3. For projects that provide or advance diversity, equity, inclusion, and accessibility, or environmental justice programs, services, or activities.
4. State and local governments and law enforcement agencies that have failed to protect public monuments, memorials, and statues from destruction or vandalism.

If awarded, and it is determined that the applicant is not in compliance with the funding restrictions, the COPS Office may place a hold on the award and/or take other remedial action.

Dkt. No. 21-1 at 15; *see also* Dkt. No. 21-2 at 15; Dkt. No. 21-3 at 22; Dkt. No. 21-4 at 20.

In June 2025, plaintiffs applied for the COPS grants at issue. See Dkt. Nos. 33-8, 33-9, 33-10, 33-11. In October 2025, plaintiffs were advised that their applications had been approved. San Francisco was approved for a \$6.25 million COPS Hiring grant award. Dkt. No. 20-4 ¶ 14. Santa Clara was offered a \$200,000 Mental Health grant award. Dkt. No. 20-3 ¶ 12. Tucson was approved for a \$175,000 Microgrant award to assist with recruiting new officers, Dkt. No. 20-1 ¶ 17, and San Diego for a \$750,000 COPS Hiring grant award as well as a \$500,000 Safer Outcomes grant award. Dkt. No. 20-2 ¶¶ 4, 9.

Each of these awards included the other two funding conditions that plaintiffs challenge. The Microgrant award to Tucson spells them out under the heading “Award Conditions.” The same conditions appear in each of the grants awarded to plaintiffs:

Condition 3

Federal Civil Rights and Nondiscrimination Laws (certification): The recipient agrees that its compliance with all applicable Federal civil rights and nondiscrimination laws is material to the government's decision to make this award and any payment thereunder, including for purposes of the False Claims Act (31 U.S.C. 3729-3730 and 3801-3812), and by accepting this award, certifies that it does not operate any programs (including any such programs having components relating to diversity, equity, and inclusion) that violate any applicable Federal civil rights or nondiscrimination laws.

Condition 4

Federal Laws, Presidential Memoranda, and Executive Orders: Recipients of grant funding must comply with all applicable federal laws and Presidential Memoranda and all Executive Orders by the President.

Dkt. No. 20-1 at ECF pp. 33-34; *see also* Dkt. No. 20-2 at ECF pp. 11-12, 30; Dkt. No. 20-3 at ECF p. 15; Dkt. No. 20-4 at ECF pp. 11-12.

The parties could not agree on how to refer to these conditions. Plaintiffs called Condition 3 the “Discrimination Condition” and Condition 4 the “EO Condition.” Dkt. No. 20. The government favored “Anti-Discrimination Condition” and the “EO Condition.” Dkt. No. 32. The Court will refer to them as the “Nondiscrimination/DEI Condition” and the “EO Condition,” which together with the Federal Funding Restrictions are the universe of the “Challenged Conditions” litigated here.

The Challenged Conditions embody the policy views stated by the Trump Administration in executive orders and other documents. For example, the Nondiscrimination/DEI Condition reflects an executive order signed by President Trump on his second inauguration day. The order declared that the federal government's support for “illegal and immoral discrimination programs, going by the name ‘diversity, equity, and inclusion’ (DEI) . . . ends today.” Exec. Order No. 14151, *Ending Radical and Wasteful Government DEI Programs and Preferencing*, 90 Fed. Reg. 8339 (Jan. 20, 2025). The order directed “[e]ach agency” to provide to the Director of the Office of Management and Budget, a list of all “Federal grantees who received Federal funding to provide or advance DEI” so that they could be terminated. *Id.* §§ 2(a), (b)(ii)(C). Deputy agency or department heads were also to “recommend actions . . . to align . . . grants” with the policy outlined in the executive order. *Id.* §2(b)(iii)(B).

Another executive order issued the next day stated that “critical and influential institutions of American society, including the Federal Government . . . have adopted and actively use dangerous, demeaning, and immoral race- and sex-based preferences under the guise of so-called ‘diversity, equity, and inclusion’ (DEI) or ‘diversity, equity, inclusions, and accessibility’ (DEIA) that can violate the civil-rights laws of this Nation.” Exec. Order No. 14173, *Ending Illegal Discrimination and Restoring Merit-Based Opportunity*, 90 Fed. Reg. 8633 (Jan. 21, 2025). The order further directed that “[t]he head of each agency shall include in every contract or grant award: (A) A term requiring the contractual counterparty or grant recipient to agree that its compliance in all respects with all applicable Federal anti-discrimination laws is material to the government’s payment decisions for purposes of section 3729(b)(4) of title 31, United States Code; and (B) A term requiring such counterparty or recipient to certify that it does not operate any programs promoting DEI that violate any applicable Federal anti-discrimination laws.” *Id.* § 3(b)(iv).

On July 29, 2025, Attorney General Pam Bondi issued a memorandum to all federal agencies titled, “Guidance for Recipients of Federal Funding Regarding Unlawful Discrimination.” *See* Dkt. No. 21-5 (AG Memorandum). The memorandum identifies “best practices” to help federal grant recipients “comply with federal antidiscrimination laws and avoid legal pitfalls.” *Id.* at 1. It states that “[u]sing race, sex, or other protected characteristics for employment, program participation, resource allocation, or other similar activities, opportunities, or benefits, is unlawful, except in rare cases where such discrimination satisfies the relevant level of judicial scrutiny.” *Id.* at 2. The memorandum says that “[f]acially neutral criteria (e.g., ‘cultural competence,’ ‘lived experience,’ geographic targeting) that function as proxies for protected characteristics violate federal law if designed or applied with the intention of advantaging or disadvantaging individuals based on protected characteristics.” *Id.*

III. THIS LITIGATION

San Francisco, Santa Clara, and Tucson filed a complaint on October 28, 2025. Dkt. No. 1. San Diego was added in a first amended complaint (FAC) filed on November 4, 2025, which is the operative complaint. *See* Dkt. No. 17. Plaintiffs moved for a preliminary injunction,

Dkt. No. 22, and the motion is fully briefed. Dkt. Nos. 32, 35. A preliminary injunction hearing was held on December 18, 2025. See Dkt. No. 40.

At the Court’s request, the government extended plaintiffs’ original acceptance deadline of November 24, 2025, to accommodate the Court’s consideration of the injunction motion. The deadline to accept the COPS grant awards is January 23, 2026. Dkt. No. 33 (Randolph Decl.) ¶ 26.

DISCUSSION

I. LEGAL STANDARDS

Preliminary injunctions are “an extraordinary remedy never awarded as of right.” *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 24 (2008). “A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.” *Id.* at 20.

In our circuit, it is well established that a preliminary injunction may also be issued where “the likelihood of success is such that ‘serious questions going to the merits were raised and the balance of hardships tips sharply in [plaintiff’s] favor.’” *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131 (9th Cir. 2011) (citation omitted). Where the plaintiff has raised “at least ‘serious questions’ going to the merits” and clear irreparable injury would result in the absence of an injunction, the Court has the discretion to “preserve the *status quo* with provisional relief until the merits c[an] be sorted out.” *Id.* at 1134.³

II. THE TUCKER ACT AND THE COURT’S JURISDICTION

The government’s starting position in its opposition brief was that this case belonged in a different court. The government said that the Court “lacks jurisdiction over key aspects of what is, at base, a contractual dispute.” Dkt. No. 32 at 1. This theory was based on the Tucker Act, 28

³ Our circuit held after careful consideration that “the ‘serious questions’ approach survives *Winter* when applied as part of the four-element *Winter* test,” *Alliance for the Wild Rockies*, 632 F.3d at 1131-32, and has continued to apply the test. See, e.g., *hiQ Labs, Inc. v. LinkedIn Corp.*, 31 F.4th 1180, 1191 (9th Cir. 2022); *Doe v. San Diego Unified Sch. Dist.*, 19 F.4th 1173, 1177 (9th Cir. 2021).

U.S.C. § 1491(a)(1), which vests exclusive jurisdiction over contract claims against the United States in the Court of Federal Claims, and “‘impliedly forbids’ bringing ‘contract actions’ against ‘the government in a federal district court.’” *Id.* at 6 (citation omitted).

But the government adopted a more nuanced position in subsequent statements to the Court. During the preliminary injunction hearing, counsel for the government forthrightly said that the government was not “suggesting that this Court . . . has zero jurisdiction under the Tucker Act to . . . enter an appropriately tailored injunction as to the challenged conditions.” Dkt. No. 41 (Hearing Transcript) at 7:3-6. Counsel underscored that “the Government’s not saying that the Court cannot issue an injunction enjoining the challenged conditions.” *Id.* at 7:7-8.

These statements correctly acknowledge that the Tucker Act is not a bar to the Court’s jurisdiction over this lawsuit. Plaintiffs’ case is rooted in statutory and constitutional commands, not in contract law. *See* Dkt. No. 17 ¶¶ 107-64. This is not a lawsuit that seeks to enforce contractual obligations. *See id.* at 35-37; Dkt. No. 20 at 24. It may be that the practical effect of the claims “would require the payment of money by the federal government” in the form of a release of funds without the challenged conditions, but that is not the same as suing for an award of money damages pursuant to a contract. *Bowen v. Mass.*, 487 U.S. 879, 893-94 (1988) (the “fact that a judicial remedy may require one party to pay money to another is not a sufficient reason to characterize the relief as ‘money damages’”); *see also Dep’t of Education v. Cal.*, 604 U.S. 650, 651 (2025) (recognizing that “a district court’s jurisdiction ‘is not barred by the possibility’ that an order setting aside an agency’s action may result in the disbursement of funds”) (quoting *Bowen*, 487 U.S. at 910). Plaintiffs’ claims are not “disguised breach-of-contract claim[s]” that are subject to the exclusive jurisdiction of the Court of Federal Claims under the Tucker Act. *Thakur v. Trump*, -- F.4th --, No. 25-4249, 2025 WL 3760650, at *3 (9th Cir. Dec. 23, 2025) (quotations omitted).

III. THE INJUNCTION FACTORS

A. Success on the Merits

Plaintiffs have a rather elaborate architecture of claims. They say the Challenged Conditions (1) are unconstitutional because they violate (a) separation of powers and

(b) restrictions on the spending power pursuant to the Spending Clause, U.S. Const. art. I, § 8, cl. 1, and (2) violate the Administrative Procedure Act (APA), 5 U.S.C. § 706, because they are (a) “contrary to the Constitution and in excess of statutory jurisdiction” and (b) “arbitrary and capricious.” Dkt. No. 20 at 9-21.⁴ The arguments for these propositions overlap to a substantial degree. The Court need not take up each theory because plaintiffs have established a likelihood of success on the APA claim that the COPS Office did not have the constitutional or statutory authority to impose the conditions. That is enough to warrant an injunction.

1. The APA Claim

The government’s starting position with respect to the APA is that there are no standards for the Court to apply because “the grant awards at issue are discretionary.” Dkt. No. 32 at 16-17. It is true that “[a]n agency’s allocation of appropriated funds is typically and presumptively committed to agency discretion by law,” *id.* at 17, but that is entirely beside the point here. The grants have already been allocated to plaintiffs. Plaintiffs are challenging the conditions that the COPS Office attached to the disbursement of the allocated funds, and not the discretion to allocate the funds in the first instance.

The governing standard for this claim is crystal clear. It is the plain text of the Community Policing Act, which is the sole statutory basis of the grantmaking authority held by the COPS Office, and sets the boundaries for the actions taken by it. The Act does not give the COPS Office unfettered discretion to attach conditions of its choice to the community policing grants it makes, and this case is not one of those “rare instances where statutes are drawn in such broad terms that . . . there is no law to apply, thereby leaving the court with no meaningful standard against which to judge the agency’s exercise of discretion.” *ASSE Int’l, Inc. v. Kerry*, 803 F.3d 1059, 1068 (9th Cir. 2015) (quotations omitted).⁵

⁴ The FAC also includes a Fifth Amendment due process claim for unconstitutional vagueness, Dkt. No. 17 ¶¶ 132-43, but plaintiffs do not rely on this claim for their preliminary injunction request. See Dkt. No. 20.

⁵ Judicial review under the APA requires the existence of a “final agency action.” 5 U.S.C. § 704. The government agreed at the preliminary injunction hearing that it is not contesting that the COPS Office’s imposition of the Challenged Conditions constituted a final agency action that is reviewable under the APA. See Dkt. No. 41 at 10:12-20.

Under the APA, the Court must set aside an agency action that is “contrary to constitutional right, power, privilege, or immunity,” “in excess of statutory jurisdiction, authority, or limitations,” or “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.” 5 U.S.C. §706(2). Plaintiffs’ main contention on these grounds is that “the Executive Branch ‘has no power to act . . . unless and until Congress confers power upon it.’” Dkt. No. 20 at 10 (quoting *Louisiana Pub. Serv. Comm’n v. FCC*, 476 U.S. 355, 374 (1986)). In plaintiffs’ view, the plain language of the Community Policing Act leaves no room for the imposition of the Challenged Conditions, and no other statute fills in that void. *Id.* at 10-11, 18-19. Consequently, the conditions cannot survive review under the APA.

The point is well taken. The Community Policing Act authorizes the award of federal funds to local governments to promote public safety and community policing. Its language is clear and direct, and leaves no room for the conditions the government seeks to impose here. Where then does the government find statutory authority to impose conditions on local governments about COVID-19 vaccinations, “gender ideology,” or the vandalism of public monuments? It did not rely on anything in the statute, and the plain language of the Community Policing Act does not reveal a basis for the government’s actions.

As plaintiffs suggest, a good argument can be made that the conditions actually conflict with the statute. For example, the Nondiscrimination/DEI Condition and the DEI-related Federal Funding Restriction forbid efforts to “advance diversity, equity, inclusion, and accessibility,” Dkt. No. 21-1 at 15, and the President’s executive orders and the DOJ Memorandum described above amplify the message that grant recipients may not use the funds for programs that take into consideration an individual’s characteristics such as race or sex. But the Community Policing Act expressly requires that grant applicants “provide assurances that the applicant will, to the extent practicable, seek, recruit, and hire members of racial and ethnic minority groups and women in order to increase their ranks within the sworn positions in the law enforcement agency.” 34 U.S.C. § 10382(c)(11). There is no way to reconcile the conditions with the statute short of engaging in doublethink that forbidding considerations of race and gender is the same as taking

1 them into account. The stark conflict between the plain language of the statute and the Challenged
2 Conditions is a sure sign that the COPS Office acted outside its statutory authority.

3 The government’s main response to all of this is to say that the Challenged Conditions
4 simply require plaintiffs to follow the law. It points, for example, to Title VI of the Civil Rights
5 Act of 1964, which requires recipients of federal assistance to “comply with federal anti-
6 discrimination law.” Dkt. No. 32 at 8 (citing 42 U.S.C. § 2000d). In the government’s view, the
7 Nondiscrimination/DEI Condition merely “makes plain that recipients cannot violate federal anti-
8 discrimination law.” *Id.* at 9. For the EO Condition and the Federal Funding Restrictions as well,
9 the government says that “[t]he COPS Office is required to ensure that all grants comply with
10 federal law and the EO Condition and the Federal Funding Restrictions are another way to ensure
11 that requirement is met.” *Id.* at 16. In effect, the government declares executive orders to be the
12 law. It says that all of the Challenged Conditions “merely reiterate that recipients must comply
13 with federal anti-discrimination law and executive orders,” *id.* at 17, and that the “COPS Office is
14 required to enforce all federal anti-discrimination laws and has the authority to require recipients
15 to follow executive orders.” *Id.* at 18.

16 This theory is subject to serious doubt. To start, plaintiffs are required to follow federal
17 law irrespective of an express condition in a grant. They are no more free to flout the Community
18 Policing Act or any other federal law than the government is. The suggestion that executive
19 orders are on parity with statutes is bereft of any meaningful support in the government’s briefs,
20 all the more so when, as demonstrated, the executive orders’ directives stand in direct conflict with
21 the plain text of the Community Policing Act. So too for the government’s assertion that the
22 COPS Office may seek to compel compliance with executive orders under threat of losing funding
23 or even facing liability under the False Claims Act, 31 U.S.C. § 3729. The government did not
24 identify any legal basis for those propositions. The government mentions a federal regulation
25 indicating that “the COPS Office is required to incorporate into the terms of its grants ‘national
26 policy requirements,’ including those flowing from ‘executive order[s],’” Dkt. No. 32 at 15
27 (quoting 2 C.F.R. § 200.211(c)(1)(ii)), but a regulation is not a statute. While Congress may
28 delegate to an agency the “authority to give meaning to a particular statutory term” or “to

1 prescribe rules to fill up the details of a statutory scheme,” in all cases it is the role of the courts to
 2 “effectuate the will of Congress subject to constitutional limits,” without giving deference to
 3 agency interpretations of statutes or the Constitution. *Loper Bright Enterprises v. Raimondo*, 603
 4 U.S. 369, 391-95 (2024) (cleaned up). Here, the government has failed to identify any
 5 constitutional or statutory provision that authorized the COPS Office to impose the Challenged
 6 Conditions.

7 Overall, plaintiffs have demonstrated a likelihood of success on the merits of their fourth,
 8 fifth, and sixth causes of action under the APA. Dkt. No. 17 ¶¶ 144-64. While this likelihood of
 9 success could be analyzed in constitutional terms as well, the Court declines at this time to take up
 10 plaintiffs’ first and second causes of action, which squarely assert claims under the United States
 11 Constitution for “violation of separation of powers” and “violation of spending power.” *Id.*
 12 ¶¶ 107-31. The “fundamental and longstanding principle of judicial restraint” counsels courts to
 13 “avoid reaching constitutional questions in advance of the necessity of deciding them.” *Al Otro*
 14 *Lado v. Exec. Office for Immigration Review*, 138 F.4th 1102, 1123 (9th Cir. 2025) (quotations
 15 omitted). Plaintiffs’ likelihood of success for their APA claims establishes the most important
 16 element required for an injunction.

17 **B. Irreparable Harm**

18 Plaintiffs have demonstrated that they face a threat of irreparable harm. Because the
 19 conditions imposed on the grants are unlawful, being forced to accept them would impose
 20 irreparable harm on plaintiffs. *See Hernandez v. Sessions*, 872 F.3d 976, 994 (9th Cir. 2017).

21 So too if plaintiffs lose the funds. San Francisco intends to use its \$6.25 million COPS
 22 Hiring grant to redress personnel shortages in its police department, which in 2025 was
 23 understaffed by about 30%. Dkt. No. 20-4 ¶¶ 5, 13, 14. San Francisco had a projected budget
 24 deficit of almost \$800 million for fiscal years 2025 through 2027, and it does not have any
 25 realistic alternative funding to hire officers if it cannot access its COPS grant funds. *Id.* ¶¶ 13, 15-
 26 17. San Diego received a \$500,000 Safer Outcomes grant to fund its police department’s efforts
 27 to train and support officers’ crisis response, and it too lacks alternative funding. Dkt. No. 20-2
 28 ¶ 7, 9, 15. Tucson received a \$175,000 Microgrant award to assist with recruiting new officers,

Dkt. No. 20-1 ¶ 17, and it plans to use the funds to “recruit[] a candidate pool from diverse backgrounds.” *Id.*, Ex. A at 3. Tucson says finding alternative funding would “present[] profound challenges.” Dkt. No. 20-1 ¶ 18. Santa Clara received a \$200,000 Mental Health grant award and plans to use the funds to address the acute need for mental health services for staff at the Santa Clara County Sheriff’s Office. Dkt. No. 20-3 ¶¶ 12, 18-20. Santa Clara is projecting a loss of \$1 billion in funding this fiscal year, and without the COPS Mental Health grant, Santa Clara will likely have to take away funding from other public safety services or forgo the planned mental health services. *Id.* ¶ 21. These are harms that cannot be remedied by an award of damages further down the road. *See Arizona Dream Act Coalition v. Brewer*, 757 F.3d 1053, 1068 (9th Cir. 2014).

C. Balance of Hardships and the Public Interest

The balance of hardships and the public interest are considered together in this case. *See E. Bay Sanctuary Covenant v. Garland*, 994 F.3d 962, 984 (9th Cir. 2020) (“When the government is a party, the third and fourth preliminary injunction factors merge.”) (citing *Drakes Bay Oyster Co. v. Jewell*, 743 F.3d 1073, 1092 (9th Cir. 2014)). A preliminary injunction will not be granted unless the public interests in favor of granting an injunction “outweigh other public interests that cut in favor of *not* issuing the injunction.” *Alliance for the Wild Rockies*, 632 F.3d at 1138 (emphasis in original).

The balance of hardships tips sharply in plaintiffs’ favor and the public interest supports an injunction. As discussed, plaintiffs have shown that they will suffer irreparable harm in the absence of an injunction. The government, on the other hand, has not shown that it will suffer any harm, monetary or otherwise, if an injunction were to issue. This is all the more so in light of the government’s frequent assertion that the Challenged Conditions seek only the enforcement of federal law as it currently stands. *See* Dkt. No. 32 at 10 (plaintiffs are simply being asked to “agree[] not to violate the laws currently in place”). Pausing the imposition and enforcement of the Challenged Conditions will have no effect on plaintiffs’ obligations to comply with all federal laws. Enjoining conditions that are likely to be unlawful is eminently in the public interest.

D. Bond

Rule 65(c) of the Federal Rules of Civil Procedure provides that a district court “may issue a preliminary injunction . . . only if the movant gives security in an amount that the court considers proper to pay the costs and damages sustained by any party found to have been wrongfully enjoined or restrained.” Fed. R. Civ. P. 65(c). The district court retains discretion “as to the amount of security required, if any.” *Johnson v. Couturier*, 572 F.3d 1067, 1086 (9th Cir. 2009) (internal quotation marks and citations omitted).

The government asked for plaintiffs to post security, and to set the bond amount to “reflect the cost and disruption to the COPS Office’s administration to [sic] the grants at issue in this proceeding resulting from Plaintiffs’ requested relief.” Dkt. No. 32 at 22. But the government did not say what this amount might be, and did not provide any criteria or other guidance for the Court to consider in calculating a bond.

The Court declines to fill in the blanks for the government. There is also no evidence in the record of a “realistic likelihood of harm to the defendant from enjoining his or her conduct.” *Johnson*, 572 F.3d at 1086 (quotations and citation omitted). A bond will not be required.

CONCLUSION

A preliminary injunction to preserve the status quo pending trial is granted.

Defendants and their officers, agents, employees, attorneys, and any person acting in concert with them, or at their behest, and who has knowledge of this injunction, are preliminarily enjoined from (a) imposing or enforcing the Challenged Conditions for the COPS grants to plaintiffs; and (b) withholding or terminating FY25 COPS grant funding on the ground that plaintiffs did not accept or comply with the Challenged Conditions.

The injunction will remain in place pending further order of the Court. Either side may request a modification of the injunction as circumstances warrant.

//

//

//

1 The parties are directed to file a joint status report by February 4, 2026, that includes a
2 proposed case schedule providing for a trial in August 2026. The case management conference
3 that was set for January 29, 2026, is vacated.

4 **IT IS SO ORDERED.**

5 Dated: January 21, 2026



JAMES DONATO
United States District Judge

United States District Court
Northern District of California

Supplemental Statement to FY25 COPS Hiring Program Grant

The San Francisco Police Department's agreement to the terms of the grant award, including but not limited to "Federal Award Instrument" and "Award Conditions," for Grant Number 15JCOPS-25-GG-00974-UHPX, titled "FY25 COPS Hiring Program Grant," for an award amount of \$6,250,000 (collectively, the "Grant Agreement") is subject to limitations described below.

The San Francisco Police Department withholds consent to and objects to the inclusion of conditions in the FY25 COPS Hiring Program Grant Agreement and Notice of Funding Opportunity ("NOFO") that are enjoined by the Preliminary Injunction in *City and County of San Francisco, et al. v. U.S. Department of Justice, et al.*, No. 3:25-cv-09277, ECF No. 49 (N.D. Cal.) dated Jan. 21, 2026 ("Preliminary Injunction") or that are otherwise inconsistent with that Preliminary Injunction, including but not limited to Condition 3 (Federal Civil Rights and Nondiscrimination Laws) and Condition 4 (Federal Laws, Presidential Memoranda, and Executive Orders) of the "Award Conditions" of the Grant Agreement and the "Federal Funding Restrictions" in the NOFO. For so long as this Preliminary Injunction or subsequent orders consistent with this Preliminary Injunction remain in effect, any incorporation of the restrained conditions shall not result in those conditions being imposed or enforced against the San Francisco Police Department and/or the City and County of San Francisco. The San Francisco Police Department's consent is contingent on these conditions being restrained, and further contingent on the understanding that if the Preliminary Injunction expires, the enjoined conditions will not be imposed or enforced against the San Francisco Police Department and/or the City and County of San Francisco as to the period that this Preliminary Injunction or other orders consistent with this Preliminary Injunction were or are in effect.

President, District 8
BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. 554-6968
Fax No. 554-5163
TDD/TTY No. 544-5227

RAFAEL MANDELMAN

PRESIDENTIAL ACTION

Date: 04/15/2026

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,
Pursuant to Board Rules, I am hereby:

☒ Waiving 30-Day Rule (Board Rule No. 3.23)

File No. 260299

Mayor

(Primary Sponsor)

Title. Accept and Expend Grant - Retroactive - U.S. Department of Justice -
Office of Community Oriented Policing Services - San Francisco Police

☐ Transferring (Board Rule No 3.3)

File No.

(Primary Sponsor)

Title.

From: Committee

To: Committee

☐ Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor: Replacing Supervisor:

For:

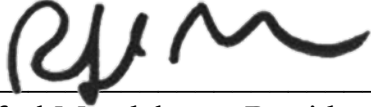
(Date)

(Committee)

Meeting

Start Time: End Time:

Temporary Assignment: ☒ Partial ☐ Full Meeting


Rafael Mandelman, President
Board of Supervisors



DANIEL LURIE
MAYOR

CITY AND COUNTY OF SAN FRANCISCO
POLICE DEPARTMENT
HEADQUARTERS
1245 3RD Street
San Francisco, California 94158



DERRICK J. LEW
CHIEF OF POLICE

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: San Francisco Police Department

DATE: March 20, 2026

SUBJECT: Accept and Expend for Subject Grant and Amendment to ASO

GRANT TITLE: FY25 COP Hiring Program

Attached please find the original* and 1 copy of each of the following:

- ☒ **01** - Proposed grant ordinance; original* signed by Department, Mayor, Controller
- ☒ **02** - Grant information form, including disability checklist
- ☒ **03** - Grant application
- ☒ **04** - Grant award
- ☐ Ethics Form 126 (if applicable)
- ☐ Contracts, Leases/Agreements (if applicable)
- ☒ Other (Explain): Court order for preliminary injunction

Special Timeline Requirements:

Departmental representative to receive a copy of the adopted resolution:

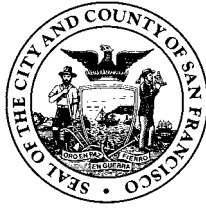
Name: **Kimmie Wu / Fannie Yeung** Phone: **415-837-7212**

Interoffice Mail Address: **SFPD Fiscal, 1245 3rd Street, 6th Floor**

Certified copy required Yes ☐ No ☒

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

OFFICE OF THE MAYOR
SAN FRANCISCO



DANIEL LURIE
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Dexter Darmali, Legislative & Ethics Secretary
RE: Accept and Expend Grant - Retroactive - FY25 COPS Hiring Program - U.S. Department of Justice
- Amendment to the Annual Salary Ordinance for FYs 2025-2026 and 2026-2027 - \$6,250,000
DATE: March 24, 2026

Ordinance retroactively authorizing the San Francisco Police Department to accept and expend a grant in the amount of \$6,250,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) under the FY25 COPS Hiring Program to fund 50 new police officer positions for approximately one year for the period of October 1, 2025, through September 30, 2030; and amending the Annual Salary Ordinance No. 120-25 (Annual Salary Ordinance, File No. 250590 for Fiscal Years 2025-2026 and 2026-2027) to provide for the addition of fifty grant-funded positions, in Class Q002, Police Officer (50 FTEs).

Should you have any questions, please contact Adam Thongsavat at adam.thongsavat@sfgov.org