County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

LEROY D. BACA, SHERIFF

May 15, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

AUTHORIZE THE SHERIFF TO SUBMIT APPLICATIONS AND DISTRICT ATTORNEY TO ACCEPT GRANT AWARD FUNDING FROM FEDERAL EDWARD J. BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS FROM THE GOVERNOR'S OFFICE OF EMERGENCY SERVICES (ALL DISTRICTS) (3 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Authorize the Sheriff, as the lead agency, and agent for the County of Los Angeles (County), to submit on behalf of the County the Fiscal Year (FY) 2007-08 Anti-Drug Abuse Enforcement Program applications, to secure continued enforcement of drug control laws through the County Anti-Drug Abuse Enforcement Program. The applications, when duly executed by the Governor's Office of Emergency Services (OES) Executive Director on behalf of the State, will convert to grant award agreements.

2. Authorize the District Attorney of Los Angeles County, as agent for the County, to sign and accept a Federal Edward J. Byrne Memorial Justice Assistance Grant (JAG) award in the amount of $240,268, and serve as project director of this program, to execute any related attendant documents, subsequent amendments, modifications, extensions, and augmentations that do not affect the net County cost of the grant agreement.

3. Instruct the Chair of the Board of Supervisors to provide wet signatures on the following required documents for submission to OES:
    1. Certification of Assurance of Compliance (Attachment I) and,
    2. Certification of Compliance Methamphetamine Laboratory Operations (Attachment II).

4. Approve the Operational Agreement (Attachment III) that encompasses all of the Los Angeles County Anti-Drug Abuse Enforcement Program's projects.

5. Approve the Los Angeles County Comprehensive Plan (Attachment IV) as the basis for the Los Angeles County Anti-Drug Abuse Enforcement Program, consisting of four projects, as adopted by the Los Angeles County Anti-Drug Abuse Steering Committee.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Each year OES allocates Federal Edward J. Byrne Memorial Justice Assistance Grant funding to California's 58 counties in support of the State-wide Anti-Drug Abuse Enforcement Program. County-wide steering committees throughout the 58 counties in California continue to maintain local plans as the basis for their local Anti-Drug Enforcement Programs, select projects, determine their continuation, and apportion their allocations. The allocations are secured from the State of California (State) by a yearly application/grant award process subject to authorization by a resolution/ certification from local governing bodies.

The County's Steering Committee is officially known as the Los Angeles County Anti-Drug Abuse Steering Committee (Committee). Formed in 1990, it has since been chaired by the Los Angeles County Sheriff's Department (Department) and consists of representatives from Los Angeles Superior Court; Los Angeles County District Attorney's Office; Los Angeles County Sheriff's Department; Los Angeles County Probation Department; Los Angeles County Public Defender; City of Los Angeles Police Department; all other municipal Police Chiefs in the County, represented by the President and two Chiefs selected by the Executive Committee of the Los Angeles County Police Chiefs' Association; Los Angeles County Drug Administrator; Los Angeles County Department of Health Services; and the Chair of the Narcotics and Dangerous Drugs Commission. The Committee's program is officially known as the Los Angeles County Anti-Drug Abuse Enforcement Program.

On March 27, 2007, the Committee selected the continuance of four program components and subsequently apportioned allocations as reflected in the adoption of the Committee Minutes (Attachment V). Two program components were discontinued due to a 47 percent funding reduction in FY 2006-07. The FY 2007-08 allocation is a 7.5 percent reduction from the previous year. Distribution of funds is based on the total allocation amount of $1,944,452 to Los Angeles County. This allocation represents a 72 percent cut from the FY 2005-06 allocation, which was not adequate to fund the programs funded in FY 2005-06. To proportionally reduce the funding would result in critically under-funding every program alike and render all of them ineffective. The four remaining programs are true County-wide services that support anti-drug abuse enforcement efforts benefitting every agency and community in the County. Of the FY

2007-08 amount, the Committee allocated $240,268 for the District Attorney's Clearinghouse Electronic Surveillance System (CHESS) program. The remaining funds were distributed to the current municipally administered programs. All four selected programs are essential to officer safety and used by law enforcement officers throughout Los Angeles County.

Additionally, the Committee approved the Los Angeles County Comprehensive Plan (Local Plan) that reflects the updated FY 2007-08 Enforcement Program and adopted the Operational Agreement, which commits the participating agencies to their respective projects and the Enforcement Program overall. This agreement is required to be included with each application and will be integral to the grant award agreements.

District Attorney's project, CHESS, which supports the 2007-08 JAG Program purpose and the municipally administered projects, will continue ongoing efforts in enforcing the State and local controlled substances laws and improve the functioning of the criminal justice system with emphasis on drugs through multi-jurisdictional drug task forces.

The Department is the State's single point of contact for the Los Angeles County Anti-Drug Abuse Enforcement Program. As such, the Department must submit all applications to the OES under one cover. Both the Department and the District Attorney recommend that your Board, as the County's governing body, approve the State's allocation of JAG Program funds to the County; authorize implementation of the County administered project; and authorize the County applicant agency to enter, on your Board's behalf, into their grant award agreement with the State.

The applications were submitted to the OES on April 6, 2007.

Following is a synopsis of each County and municipally administered project, its apportionment, and funding year.

COUNTY ADMINISTERED PROJECT APPLICATION (Attachment VI)

FY 2007-08 apportionment: $240,268

The following project is administered by a County department:

- **Clearinghouse Electronic Surveillance System (CHESS)**, implemented by the District Attorney's Office, with the support of the Los Angeles County Regional Criminal Investigation Clearinghouse (LACRCIC, aka: LA Clearinghouse). The CHESS project provides wiretaps screening by the District Attorney, direct access to LA Clearinghouse investigators for review of the wiretap clearance and implementation process, vertical prosecution of cases derived from wiretaps, and training to State and local law enforcement officers on the use and preparation of

training to State and local law enforcement officers on the use and preparation of wiretaps.
FY 2007-08 apportionment: $240,268, 7th year of funding.

MUNICIPALLY ADMINISTERED PROJECT APPLICATIONS

FY 2007-08 apportionment: $1,704,184

The following three projects are administered by entities subject to municipal jurisdictions within the County:

- **Los Angeles Interagency Metropolitan Police Apprehension Crime Taskforce (LA IMPACT)**, implemented under the auspices of its Board of Directors, represents 57 municipalities, through an Executive Council, representing local, State, and Federal law enforcement. The LA IMPACT Taskforce is assembled to respond to clandestine methamphetamine laboratories for the purpose of clean-up, prosecution, and further investigation; provide narcotic interdiction at major airports within Los Angeles County and act as an operational liaison with other airports throughout United States; identify, prosecute, and convict money laundering operations; and conduct specialized narcotics investigations with a nexus to street gangs.
  FY 2007-08 apportionments: $722,652, 13th year of funding

- **Los Angeles County Regional Criminal Information Clearinghouse (LACRCIC, aka: LA Clearinghouse)** implemented under the auspices of the Los Angeles County Police Chiefs' Association (LACPCA), with the City of Hawthorne as the contractual proponent. The LA Clearinghouse is a criminal intelligence gathering entity, linked with State and national networks, that supports all law enforcement agencies in this County in coordinating investigations and targeting drug trafficking organizations.
  FY 2007-08 apportionment: $722,652, 17th year of funding.

- **Los Angeles Regional Gang Information Network (LARGIN)**, a multi-jurisdictional gang clearinghouse, operated under the auspices of LACPCA, staffed by Sheriff and LAPD personnel, with support from LACRCIC. LARGIN makes available gang and narcotics-related intelligence; parole and probation data through the California Department of Corrections and the California Youth Authority for cross-jurisdictional investigative case management and cost-effective deployment of suppression and surveillance teams; and a Countywide gang reduction resource directory.
  FY 2007-08 apportionment: $258,880, 5th year of funding.

Implementation of Strategic Plan Goals

The Los Angeles County Anti-Drug Abuse Enforcement Program, a multi-jurisdictional effort directed at eliminating the prevalence of illicit drugs throughout Los Angeles County, meets the County's Strategic Goal 4, Fiscal Responsibility. Specifically, this program satisfies Strategy 1, Objective 3, by its utilization of grant revenue awarded by the State.

FISCAL IMPACT/FINANCING

The FY 2007-08 Edward J. Byrne Memorial Justice Assistance Grant (JAG) Program funding of $1,944,452, allocated by the State to the County of Los Angeles, was apportioned to the County and the municipal agencies to offset the cost of their Enforcement Program components. No match is required. The District Attorney's Office estimated cost to implement CHESS is 82 percent offset by the grant allocation of $240,268. The remaining 18 percent, will be absorbed by the District Attorney's Office. Further details about the County personnel or budget items within the County administered project may be found in Attachment VI - County Administered Project Application.

The JAG Program grant funding to the District Attorney ($240,268) will be included in the Department's FY 2007-08 budget. This amount is revenue offset by the State funds.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Los Angeles County Anti-Drug Abuse Enforcement Program is funded with Federal Edward J. Byrne Memorial Justice Assistance Grant Program funds, which the Governor's OES allocates annually to the County, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968, and the Anti-Drug Abuse Act of 1998, as amended.

This Board Letter and Certifications have been reviewed and approved by the District Attorney's Office and County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The four (4) Anti-Drug Abuse (ADA) Enforcement projects selected for funding are continuing projects. Despite years of drastic cuts in ADA funding, there will be no change or impact on current services for the County administered program (CHESS). However, due to the 47 percent decrease in FY 2006-07 funding, two (2) of FY 2005-06 projects were discontinued. They are the Community Oriented Multi-Agency Narcotics Enforcement Team (COMNET), administered by the Department, and the Narcotics Enforcement Surveillance Team (NEST), administered by the Los Angeles Police Department and the Los Angeles City Attorney. Due to the 41 percent decrease in FY 2005-06, the County-wide Criminal Justice Coordination Committee's Los Angeles Drug Court Treatment Enhancement Program (LADTEP) and the Probation Department's Re-Entry for Drug Addicts Program (REDAP) also were discontinued.

The COMNET program has been an integral tool to rid neighborhoods of chronic street and mid-level narcotics trafficking that affects the quality of life for many residents in both the incorporated and unincorporated areas of Los Angeles County. This mobile, multi-agency team has proven to be an extremely effective tool in narcotics enforcement efforts.

CONCLUSION

Upon approval by your Board, the Sheriff's Department requests that your Board please provide four (4) individually adopted copies of this action, two (2) signed copies of the Certification of Assurance of Compliance, and two (2) signed copies of the Certification of Compliance Methamphetamine Laboratory Operations, to the Sheriff's Department.

The Department's contact for this requested Board action is Marcelle Murr, Grant Analyst, at (323) 526-5212.

Inquiries concerning the Los Angeles County Anti-Drug Abuse Enforcement Program and the Los Angeles County Anti-Drug Abuse Steering Committee may be directed to Commander Robert A. Osborne, Detective Division, at (323) 526-5169.

Sincerely,

LEROY D. BACA
SHERIFF

Los Angeles County Chief Administrative Office
Grant Management Statement for Grants Exceeding $100,000

Department: Los Angeles County District Attorney's Office

Grant Project Title and Description

The Clearinghouse Electronic Surveillance System (CHESS) program will handle telephone wiretap applications processed through Los Angeles County Regional Criminal Information Clearinghouse. The prosecutors assigned to CHESS will specifically assist the state, federal, and local law enforcement agencies and multi-jurisdictional task forces that use the Clearinghouse wire room and facilities.

Funding Agency	**Program** (Fed. Grant # /State Bill or Code #)	**Grant Acceptance Deadline**
Governor's Office of Emergency Services	State Grant No. DC07B80190	Application due 4/9/07

Total Amount of Grant Funding: $240,268 **County Match:** $0
Grant Period: Fiscal Year 2007-08 **Begin Date:** July 1, 2007 **End Date:** June 30, 2008
Number of Personnel Hired Under This Grant: **Full Time:** 2 **Part Time:** 0

Obligations Imposed on the County When the Grant Expires

Will all personnel hired for this program be informed this is a grant-funded program? Yes X No__

Will all personnel hired for this program be placed on temporary ("N") items? Yes X No__

Is the County obligated to continue this program after the grant expires? Yes __ No X

If the County is not obligated to continue this program after the grant expires, the Department will:

a). Absorb the program cost without reducing other services Yes __ No X

b). Identify other revenue sources Yes __ No X
(Describe)_____

c). Eliminate or reduce, as appropriate, positions/program costs funded by the grant. Yes X No__

Impact of additional personnel on existing space: None.

Department Head Signature S. L. Cu **Date** 4/03/07

CERTIFICATION OF ASSURANCE OF COMPLIANCE

I, STEVE COOLEY hereby certify that
(official authorized to sign grant award; same person as Section 12 on Grant Award Face Sheet)

RECIPIENT: COUNTY OF LOS ANGELES

IMPLEMENTING AGENCY: LOS ANGELES COUNTY DISTRICT ATTORNEY

PROJECT TITLE: CLEARINGHOUSE ELECTRONIC SURVEILLANCE SYSTEM (CHESS)

is responsible for reviewing the *Grant Recipient Handbook* and adhering to all of the Grant Award Agreement requirements (state and/or federal) as directed by OES including, but not limited to, the following areas:

I. Equal Employment Opportunity – (2006 Recipient Handbook Section 2151)

It is the public policy of the State of California to promote equal employment opportunity by prohibiting discrimination or harassment in employment because of race, religious creed, color, national origin, ancestry, disability (mental and physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, sex, sexual orientation, denial of family medical care leave, denial of pregnancy disability leave, or age (over 40). **OES-funded projects certify that they will comply with all state and federal requirements regarding equal employment opportunity, nondiscrimination and civil rights.**

Please provide the following information:

Equal Employment Opportunity Officer: JULIE DIXON SILVA

Title: CHIEF, EMPLOYEE RELATIONS DIVISION

Address: 201 N. FIGUEROA ST, STE 1455, LOS ANGELES, CA 90012

Phone: 213-202-7705

Email: jdsilva@lacountyda.org

II. Drug-Free Workplace Act of 1990 – *(2006 Recipient Handbook, Section 2152)*

The State of California requires that every person or organization awarded a grant or contract shall certify it will provide a drug-free workplace.

III. California Environmental Quality Act (CEQA) – *(2006 Recipient Handbook, Section 2153)*

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.)* requires all OES funded projects to certify compliance with CEQA. Projects receiving funding must coordinate with their city or county planning agency to ensure that the project is compliance with CEAQ requirements.

IV. Lobbying – (*2006 Recipient Handbook Section 2154)*

OES grant funds, grant property, or grant funded positions shall not be used for any lobbying activities, including, but not limited to, being paid by or on behalf of the undersigned, 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, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.

V. Debarment and Suspension – *(2006 Recipient Handbook Section 2155)*

(This applies to federally funded grants only.)

OES-funded projects must certify that it and its principals are not 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 of agency.

VI. Proof of Authority from City Council/Governing Board

The above-named organization (applicant) accepts responsibility for and will comply with the requirement to obtain written authorization from the city council/governing board in support of this program. The applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of OES, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and OES disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from OES shall not be used to supplant expenditures controlled by the city council/governing board.

The applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The applicant is also required to maintain said written authorization on file and readily available upon demand.

All appropriate documentation must be maintained on file by the project and available for OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Recipient may be ineligible for award of any future grants if the OES determines that any of the following has occurred: (1) the Recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

CERTIFICATION

I, the official named below, am the same individual authorized to sign the Grant Award Agreement [Section 12 on Grant Award Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

Authorized Official's Signature: S.L. Cooley

Authorized Official's Typed Name: STEVE COOLEY

Authorized Official's Title: DISTRICT ATTORNEY

Date Executed: 4/02/07

Federal Employer ID Number: 95-6000927

Executed in the City/County of: LOS ANGELES

AUTHORIZED BY: *(not applicable to State agencies)*

- City/County Financial Officer or
- City/County Manager or
- Governing Board Chair

Signature: _____

Typed Name: ZEV YAROSLAVSKY

Title: CHAIR, LOS ANGELES COUNTY BOARD OF SUPERVISORS

APPROVED AS TO FORM
RAYMOND G. FORTNER, JR, County Counsel

BY _____
Deputy

JAG-FUNDED PROJECTS
CERTIFICATION OF COMPLIANCE
METHAMPHETAMINE LABORATORY OPERATIONS

This special condition facilitates compliance with the provisions of the National Environmental Policy Act (NEPA) relating to clandestine methamphetamine laboratories, including the seizure and/or removal of clandestine methamphetamine laboratories [hereinafter, "meth lab operations"].

The United States Environmental Protection Agency (USEPA) has determined that, "law enforcement responsibilities terminate when the law enforcement official notifies the property owner of record, the state, and the local environmental or public health agencies in writing of a possible site contamination at a clandestine lab."

Law enforcement personnel may seize as evidence and remove any bottles, cans, jugs and other containers, as well as contaminated apparatus and chemical samples from a clandestine drug site, however, law enforcement agencies are not responsible for the cleanup/remediation of any rooms, buildings or surrounding environments, including septic systems, rivers, streams or contaminated soils.

I, STEVE COOLEY hereby certify that
(official authorized to sign Grant Award; same person as Section 12 on Grant Award Face Sheet)

RECIPIENT: COUNTY OF LOS ANGELES

IMPLEMENTING AGENCY: LOS ANGELES COUNTY DISTRICT ATTORNEY

PROJECT TITLE: CLEARINGHOUSE ELECTRONIC SURVEILLANCE SYSTEM

(Check one of the following four boxes)

☐ Will **not** accept the JAG funds for the period of Enter the correct grant cycle.

OR

☒ Will accept the JAG funds for the period of Enter the correct grant cycle, but will not use them in the **seizure or removal** of clandestine methamphetamine laboratories.

OR

☐ Will accept the JAG funds for the period of July 1, 2007 - June 30, 2008, and comply with Federal, State, and local environmental, health, and safety laws and regulations applicable to the **seizure** of clandestine methamphetamine laboratories. Said compliance will include the following mitigation measures:

1. Recipient will provide medical screening of personnel assigned or to be assigned by the recipient to the seizure of clandestine methamphetamine laboratories;

2. Recipient will provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and all other personnel assigned to the seizure of clandestine methamphetamine laboratories;

3. Recipient will equip personnel, as determined by their specific duties, with OSHA required protective wear and other required safety equipment;

4. Recipient will notify the Department of Toxic Substances Control (DTSC), and send written notification to the property owner of record, and the local Environmental Management and/or Public Health Department whenever a clandestine methamphetamine laboratory is seized; and

5. Recipient will enter into a written agreement with the local Social Services Department to notify the local Social Services Department whenever a minor is found at a clandestine methamphetamine laboratory site, and, if determined to be necessary, require that qualified personnel be dispatched to the site and, if determined to be necessary:

   (i) Respond to the minor's health needs that relate to methamphetamine toxicity;
   (ii) Take the minor into protective custody unless the minor is criminally involved in the clandestine methamphetamine laboratory activities or is subject to arrest/detention for other criminal violations;
   (iii) Arrange for medical testing for methamphetamine toxicity; and
   (iv) Arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.

OR

☐ Will accept the JAG funds for the period of Enter the correct grant cycle, and comply with Federal, State, and local environmental, health, and safety laws and regulations applicable to the **seizure and/or removal** of clandestine methamphetamine laboratories. Said compliance will include the following mitigation measures:

1. Recipient will provide medical screening of personnel assigned or to be assigned by the recipient to the seizure and/or removal of clandestine methamphetamine laboratories;

2. Recipient will provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and all other personnel assigned to the seizure and/or removal of clandestine methamphetamine laboratories;

3. Recipient will equip personnel, as determined by their specific duties, with OSHA required protective wear and other required safety equipment;

4. Recipient will send written notification to the property owner of record, and the local Environmental Management and/or Public Health Department whenever a clandestine methamphetamine laboratory is seized;

5. Recipient will enter into a written agreement with the local Social Services Department to notify the local Social Services Department whenever a minor is found at a clandestine methamphetamine laboratory site, and, if determined to be necessary, require that qualified personnel be dispatched to the site and, if determined to be necessary:

   (v) Respond to the minor's health needs that relate to methamphetamine toxicity;
   (vi) Take the minor into protective custody unless the minor is criminally involved in the clandestine methamphetamine laboratory activities or is subject to arrest/detention for other criminal violations;
   (vii) Arrange for medical testing for methamphetamine toxicity; and
   (viii) Arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity.

6. Recipient will assign properly trained personnel to prepare a Hazard Assessment and Recognition Plan (HARP) for the clandestine methamphetamine laboratory site;

7. Recipient or DTSC will utilize qualified disposal personnel to remove the chemicals, associated glassware, equipment, and contaminated materials and wastes from the clandestine methamphetamine laboratory site;

8. Recipient or DTSC will dispose of the chemicals, associated glassware, equipment, and contaminated materials and wastes at properly licensed disposal facilities or, when allowable, at properly licenses recycling facilities; and

9. Recipient or DTSC will monitor the records involving the transport, disposal and recycling components of subparagraphs numbered 7 and 8 immediately above in order to ensure proper compliance.

All appropriate documentation must be maintained on file by the project and available for OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Recipient may be ineligible for award of any future grants if the OES determines that any of the following has occurred: (1) the Recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

CERTIFICATION

I, the official named below, am the same individual authorized to sign the Grant Award Agreement [Section 12 on Grant Award Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

Authorized Official's Signature: S. L. Cooley

Authorized Official's Typed Name: STEVE COOLEY

Authorized Official's Title: DISTRICT ATTORNEY

Date Executed: 4/03/07

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Executed in the City/County of: LOS ANGELES

AUTHORIZED BY:

- City/County Financial Officer or
- City Manager or
- Governing Board Chair

Signature: _____

Typed Name: ZEV YAROSLAVSKY

Title: CHAIR, LOS ANGELES COUNTY BOARD OF SUPERVISORS

APPROVED AS TO FORM
RAYMOND G. FORTNER, JR, County Counsel
BY _____
Deputy