



**APPLICATION FOR DISTRIBUTION FROM PRIVACY AND PIRACY
FUND ADMINISTERED BY THE CALIFORNIA ATTORNEY GENERAL'S OFFICE
YEAR _____ CYCLE**

I. NAME OF APPLICANT(s):

JOINT APPLICANT (if applicable):

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Address: <hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
Phone Number: <hr/>	<hr/>
Fax Number: <hr/>	<hr/>
Email (if available): <hr/>	<hr/>
Contact Person(s): <hr/>	<hr/>
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II. STATUS OF APPLICANT (check and provide information as appropriate)

A. Is Applicant an "Authorized Prosecutor" Section 17206?

Yes ☐

No ☐

If no, the Applicant is not eligible to receive disbursements from the Privacy and Piracy Fund.

If yes, describe the governmental entity's function and responsibilities.

B. Identify the Program Manager who will oversee the proposed project and who will be the contact person for purposes of the disbursement application. Attach a resume and contact information for the Program Manager.

III. APPLICANT'S PROPOSAL

In a separate document, describe the proposal for which Applicant seeks a disbursement. Please include:

- A. The perceived need for the program and how Applicant identified such need.
- B. The anticipated public benefit to be served by the disbursement, and how the benefit would be achieved. Please explain how the proposed project and any materials developed through disbursement funds may produce benefits extending beyond the specific project for which the disbursement is sought, if there will be such benefits.
- C. Where the application concerns an investigation and/or potential litigation, a description of the potential investigation and/or litigation. Please see paragraph III.N concerning confidentiality of this information.
- D. A description of all equipment and of all materials, including brochures, pamphlets, and audio, video, and electronic materials, that will be prepared, developed, used, purchased, or rented with disbursement funds in connection with the proposed project. If possible, drafts, detailed descriptions, or copies of content to be used in the Applicant's project should be submitted to provide as much specificity as possible.
- E. Of the materials set forth in response to paragraph D, a description of how those materials may have use or application outside of the proposed project.



- F. A *detailed itemization* of all costs and expenses related to the proposed project that are expected to be paid from the disbursement. (If applicable, include a description of how other elements such as volunteer labor or collaboration with other agencies will be integrated into the project.
- G. A detailed description of goods and services, such as personnel, travel and transportation, and materials to be used in connection with the proposed project that are funded from sources other than disbursements from the Fund.
- H. The name, address, and telephone number of each provider of funds (other than the Privacy and Piracy Fund) expected to be used in connection with the proposed project.
- I. A statement of whether the Applicant intends to continue with the proposed project after the end of the initial disbursement term and, if so, the Applicant's expected source of funding for continuing the project.
- J. A description of how the proposed project related to the Applicant's other projects in the program area, e.g., whether the proposed project supplements or duplicates other programs.
- K. A description of how the Applicant:
 - 1. will ensure that distribution by the Committee will be used solely for purposes proposed in the application; and
 - 2. intends to report to the Committee concerning the results of the project, including a discussion of how the Applicant intends to measure the success of the project. Appropriate non-staffing costs for such measurement may be included in the monies sought by the application.
- L. If the application is for continuation of a project approved during a previous Disbursement Cycle, a description of the steps taken by Applicant to determine the efficacy of the program during the prior Disbursement Cycle.
- M. The Committee may also consider each component item of the application in order of priority, and may choose to make partial awards based upon such prioritization. Accordingly, the application should contain a prioritized breakdown for each item requested, in the application as well as on an accompanying Excel spreadsheet. An Excel spreadsheet is provided along with the JUS 8834 showing sample entries and an example of such prioritization.
- N. The grant application (including the narrative and attachments), any follow-up communications between the Applicant and the Committee, and any post-award progress report submissions are public records which, absent limited exceptions, are subject to production pursuant to a California Public Record Act (PRA) request. (Gov. Code § 6250 et seq.) In general, applications should not include personally identifying information (e.g., personal phone number or home address of undercover officers) or materials containing sensitive information that may compromise an existing or contemplated investigation or litigation matter.

If you believe that submission of sensitive investigatory or personally identifying information is vital to the evaluation of your application, it is recommended that you first contact the Committee's Project Coordinator, Supervising Deputy Attorney General Adam Miller, at (415) 703-5551. If the Applicant Agency elects to submit personally identifying or sensitive information, it must be provided in a separate document labeled "Confidential Addendum to Application of [name of Applicant Agency]." The Addendum must provide (a) the legal authority to withhold the information from disclosure (e.g., applicable legal privilege or specific PRA exemption) and (b) a detailed explanation of the negative impact disclosure of the information would have on the existing or contemplated investigation or litigation that would justify withholding this information.

In the event that a PRA request for the grant applications is received, each Addendum will be reviewed on a case by case basis. However, please note that the Committee cannot guarantee that the information, even if designated as "confidential" by the Applicant, will not be produced pursuant to a PRA request.



IV. REPRESENTATIONS BY APPLICANT REGARDING ACCEPTANCE OF CONDITIONS FOR DISBURSEMENT

- A. The undersigned is the responsible person for this application, has been duly authorized by the Applicant to act as its agent in connection with this application, and hereby certifies that the information in this application, including attached documents, is true. The undersigned has read the Judgment governing the Privacy and Piracy Fund and understands its terms. The undersigned further represents that the funding requested will not be used to pay for current staff of the Applicant applying for this project, and that the existing budget of Applicant will not be reduced should the application be approved. If the project is accepted, the undersigned further represents that he/she will sign a form(s) that acknowledges that the Applicant's project has been selected for receipt of disbursement, and that the Applicant will comply with the terms and conditions of the disbursement.
- B. The Applicant will comply with each and every order of the Court in connection with the Privacy and Piracy Fund and the disbursement received.
- C. The Applicant will vigilantly safeguard the monies disbursed hereunder and maintain financial controls sufficient to protect such monies and ensure that the use of monies fully comports with the recipient's application for the disbursement, and will provide detailed written description of such financial controls upon request by the Committee.
- D. The undersigned represents that his/her office is authorized to accept disbursement funds under applicable state and local laws and that the budget of the office will not be reduced by the receipt of disbursement funds. Disbursement funds shall be used to augment but not supplant the budget of the disbursement recipient's office/unit.
- E. The funds, except as otherwise expressly agreed by the Committee in writing, will only be used for the purposes described in this application, as approved or modified by the Committee.
- F. If the project is for the purpose of investigation or litigation, any civil settlement the Applicant enters will provide for full reimbursement of the amount of the disbursement to the Privacy and Piracy Fund. The Fund shall be reimbursed before any settlement funds are used for any other purpose.
- G. In the event the Applicant is the prevailing party after trial, the Applicant will use its best efforts to reimburse the Privacy and Piracy Fund in full from any monetary recovery ordered by trial and appellate courts and paid by the defendant(s).
- H. The Applicant will notify the Committee in writing of litigation results, including any settlement, judgment or other resolution, within 30 days of such settlement, judgment or other resolution.
- I. The Applicant will submit a self-evaluation report within six months after receipt of disbursement funds, and a final report to the Committee within 60 days of completing the project for which a one-year disbursement was awarded. Applicants for a multi-year project will, in addition to submitting the six-month report after receipt of disbursement funds, also submit an annual progress report (at, i.e., 12, 24 and 36 months after receipt of disbursement funds) in each year of a multi-year project and a final report to the Committee within 60 days of completing the project for which a multi-year disbursement was awarded. These reports shall specify how disbursement funds were used, as well as a description of the progress and/or outcome of the project for which the disbursements were awarded. See paragraph III.M concerning confidentiality of reporting to the Committee and the Attorney General's Office.
- J. All correspondence with the Committee other than the Application itself, shall be directed to Supervising Deputy Attorney General Adam Miller, Office of the California Attorney General, 455 Golden Gate Avenue, #11000, San Francisco, CA 94102, phone: (415) 703-5551, fax: (415) 703-1234, e-mail: Adam.Miller@doj.ca.gov.



- K. The Applicant will notify the Committee in writing of the status of all outstanding litigation or investigations related to this project six months after the funds are disbursed to the recipient and then every 12 months on the anniversary date of the disbursement.
- L. The Applicant will cooperate with the Committee and its agents in providing all information and document concerning the use of disbursement funds as the Committee reasonably requests and will maintain sufficient records for auditing purposes to substantiate any expenditure. In the event of a multi-agency project, the initial Applicant shall be solely responsible for complying with this paragraph, except as otherwise expressly agreed by the Committee in writing.
- M. The Applicant will comply with all additional requirements the Committee imposes, including but not limited to completing and promptly returning the JUS 8765 form to acknowledge selection as a disbursement recipient.
- N. Approval of this application does not constitute Committee or California Attorney General endorsement of this project.
- O. Except as otherwise expressly agreed by the Committee in writing, within 60 days after the conclusion of the investigation, litigation, or training for which the disbursement was requested, the Applicant will return unused or excess funds to the Committee by check made payable to the California Attorney General's Office, with the notation "Privacy and Piracy Fund Reimbursement."
- P. If the project is for the purchase of non-case specific goods or services, the Applicant will return any excess or unused funds to the Committee within 60 days after purchase of such goods or services by check made payable to the California Attorney General's Office, with the notation "Privacy and Piracy Fund Reimbursement."
- Q. If an application is for the production of any materials, the Applicant agrees to permit the California Attorney General's Office and other authorized prosecutors to use those materials, without restriction, for their intended purposes, if the Committee so requests.

Signed: _____

Title: _____

Return Application and attachments to:

Privacy and Piracy Fund Committee
Attention: Sarah Dalton
Office of the California Attorney General
1300 I Street
Sacramento, CA 95814
Sarah.Dalton@doj.ca.gov

For additional information, please contact:

Privacy and Piracy Fund Committee
Attention: Adam Miller, Supervising Deputy Attorney General
Office of the California Attorney General
455 Golden Gate Avenue, #11000
San Francisco, CA 94102
phone: (415) 703-5551
fax: (415) 703-1234
e-mail: Adam.Miller@doj.ca.gov