

## CHAPTER 426

## CRIME PREVENTION ASSISTANCE

- 426.001 Handicapped and Elderly Security Assistance Act; short title; legislative findings and intent.
- 426.002 Definitions.
- 426.003 Handicapped and elderly assistance program; administration; rules.
- 426.004 Handicapped and elderly assistance program objectives; priorities for award of security assistance grants.
- 426.005 Applications for security assistance grants; preparation and submission.
- 426.006 Review of applications for security assistance grants.
- 426.007 Monitoring and evaluation of security assistance grant programs.
- 426.008 Implementation of ss. 426.001–426.007; utilization of donations and grants.
- 426.009 Handicapped and Elderly Security Assistance Program.

**426.001 Handicapped and Elderly Security Assistance Act; short title; legislative findings and intent.—**

(1) Sections 426.001–426.007 shall be known and may be cited as the "Handicapped and Elderly Security Assistance Act of 1984."

(2) It is the intent of the Legislature to provide the means by which public and private nonprofit housing authorities that own or operate housing projects for the handicapped or elderly may apply for and receive financial assistance, on a priority basis, which assistance will enable the housing authorities to carry out crime prevention and security programs designed to reduce the criminal victimization of, and the resultant fear of crime in, residents of such housing projects.

*History.—*s. 3, ch. 84–250; s. 1, ch. 87–155.

**426.002 Definitions.—**As used in ss. 426.001–426.009, unless the context otherwise requires, the term:

(1) "Anticrime services" or "services" includes, but is not limited to, such services as security hardware services, security lighting services, security guard services, neighborhood watch programs, property identification services, crime-prevention information dissemination services, victim or witness assistance services, and victim counseling services aimed at alleviating the emotional and psychological trauma which may accompany criminal victimization.

(2) "Bureau" means the Bureau of Public Safety Management of the Division of Housing and Community Development of the Department of Community Affairs.

(3) "Elderly" describes a person who is 62 years of age or older.

(4) "Handicapped" describes a person who:

(a) Has a physical or mental impairment which is expected to be of long, continued, and indefinite duration and which substantially impedes such person's ability to live independently;

(b) Is unable to engage in any substantial gainful activity by reason of any medically determinable physi-

cal or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; or

(c) Is 55 years of age or older, is legally blind, and is unable by reason of such blindness to engage in a gainful activity requiring skills or abilities comparable to those of any gainful activity in which such person has previously engaged with some regularity and over a substantial period of time.

(5) "Housing authority" means any public or private nonprofit housing authority, by whatever name known, that owns or operates an eligible housing project.

(6) "Housing project" means:

(a) Any housing project owned or operated by a public housing authority, 85 percent or more of the tenancy of which housing project is made up of elderly or handicapped persons; or

(b) Any private nonprofit housing project financed by a mortgage loan that is made or insured by the United States Department of Housing and Urban Development under s. 202 of the Housing Act of 1959, as amended, or s. 236 of the National Housing Act of 1934, as those sections apply to rental housing programs for lower-income elderly and handicapped persons.

(7) "Target area" means the housing project for which application is being made; the grounds associated with the housing project; and the immediately surrounding area contiguous to the housing project or within easy walking distance of the housing project, not to exceed 1/4 mile in any direction from the outer boundary of the housing project.

*History.—*s. 3, ch. 84–250; s. 2, ch. 87–155; s. 51, ch. 87–225.

**426.003 Handicapped and elderly assistance program; administration; rules.—**

(1) The Department of Community Affairs, through the Bureau of Public Safety Management, shall, in accordance with the provisions set forth in ss. 426.001–426.007, administer the Handicapped and Elderly Security Assistance Program established under s. 426.009, provide for review of all applications for security assistance grants received under ss. 426.001–426.007, make final determinations with respect to the issuance or denial of such grants, and provide for regular monitoring and evaluation of those projects for which grants are awarded to ensure the efficacious use of moneys received from the fund.

(2) To the extent that the department receives completed applications from a county which collects surcharges and costs pursuant to ss. 775.0836 and 939.015, and as consistent with the priorities for award of security assistance grants contained in s. 426.004, the department shall approve grants to a county in an amount equal to that county's contribution to the Handicapped and Elderly Security Assistance Program, less a pro rata portion of the department's administrative costs.

(3) The Department of Community Affairs is authorized to promulgate all rules necessary to provide for the

orderly administration and implementation of ss. 426.001-426.007, including rules governing the approval or disapproval of applications for security assistance grants.

**History.**—s. 3, ch. 84-250; s. 65, ch. 85-81; s. 3, ch. 87-155; s. 48, ch. 93-120.

**426.004 Handicapped and elderly assistance program objectives; priorities for award of security assistance grants.—**

(1) It is the intent of the Legislature to enable housing authorities that operate housing projects in this state which serve the handicapped and the elderly to become involved in activities that are designed to prevent criminal activity against residents in such housing projects and reduce such residents' fear of being criminally victimized in and around their homes.

(2) In awarding security assistance grants to eligible applicants under ss. 426.001-426.007, the bureau shall establish priorities based upon the following considerations:

(a) The demonstrated need for such security assistance, as evidenced by:

1. The crime rate in the target area, as compared to the crime rate in contiguous and nearby areas, with particular emphasis upon the percentage of crimes committed within the preceding 5 years against the handicapped and the elderly, when such a demographic breakdown is possible.

2. The unavailability of sufficient alternative funding necessary to initiate or complete the activities as the activities are envisioned in the proposed program design.

(b) The likelihood that alternative funding resources will be available to fund partially the initial costs of the proposed program or will become available to continue to fund the program after it has become established.

(c) The submission by the applicant of a proposal for the establishment of services within the framework of a program design which:

1. Establishes new and innovative anticrime services in the target area which are cost-effective and either have future alternative funding possibilities or require initial funding only, such as security hardware or equipment purchases, or which strengthen or expand existing anticrime services in the target area, when such services have proved cost-effective within the current funding limitations for such services and when it can be shown with reasonable certainty that there is a need for such strengthening or expansion.

2. Places emphasis upon direct crime-prevention-related services which do not duplicate existing services available within the social service system.

3. Provides for the effective utilization of existing services available within the social service system, when appropriate and practicable, in correlation with services to be provided by the applicant.

4. Encourages the use of volunteers, when appropriate and practicable.

5. Demonstrates cost-effectiveness.

6. Establishes measurable objectives and provides for the establishment of an effective data collection system and a method for the verification of service delivery.

7. Establishes the likelihood of the program having a measurable, significant, and broad impact upon the handicapped and elderly population within the target area, with respect to crime prevention and the provision of security against crime.

8. Provides for the monitoring and evaluation of the anticrime services that are to be provided by the applicant, in accordance with requirements of the bureau.

**History.**—s. 3, ch. 84-250; s. 66, ch. 85-81.

**426.005 Applications for security assistance grants; preparation and submission.—**

(1) The bureau shall prepare, for dissemination to potential applicants for security assistance grants upon request, a booklet containing application forms and complete instructions to applicants, including detailed guidelines for preparation of applications for security assistance grants. Pursuant thereto, the bureau shall develop and establish requirements for the completion of such applications, including requirements for the following components:

(a) *General administrative information component.* This component shall include general information useful to the bureau in its deliberations, and it may include such information and supplemental material as:

1. The name and address of the applicant;
2. The name, address, and telephone number of the contact person handling the application;
3. The name, address, and telephone number of the proposed program director and any other authorized person who will have authority for accounting, management of funds, verification of expenditures, or preparation of reports related to the program, if the proposed program director or other authorized person is different from the person listed under subparagraph 2.;
4. The title and a brief description, in 25 words or less, of the proposed security program;
5. Photographs, a map, and a brief description of the target area;
6. The estimated number of persons who will benefit from the program;
7. The starting date for the program;
8. A narrative summary, in 200 words or less, of the proposed security program; and
9. Any other similar information or supplemental material that may be requested by the bureau.

(b) *Program plan and supporting data component.* This component shall include:

1. A narrative statement, in 200 words or less, of the problem that the program is designed to alleviate, with supporting data and documentation thereof;
2. A step-by-step plan for program development, including a listing of planned activities and a timetable for the program development;
3. Specification of measurable program objectives;
4. A plan for the monitoring and evaluation of the program; and
5. A listing of additional actual or potential resources which may be available, or may become available, to fund the program.

(c) *Budget component.*—This component shall include:

1. A listing of estimated costs, when applicable, for indirect costs of the program and for personnel, professional services (including contract and consultant services), travel, hardware and equipment, construction, and other operating expenses of the program;

2. A budget narrative that contains justification for, and an explanation of, the items shown in the listing submitted under subparagraph 1.; that specifies criteria and data used to arrive at estimates; and that provides such further breakdown or detail of any budget figure as may be needed to ensure understanding of the manner in which the budget figure was computed; and

3. A fiscal questionnaire prepared by the bureau and designed to provide additional relevant information directly or indirectly related to the budget, which information will assist the bureau in its deliberations, such as information related to the selection and procurement methods to be utilized by the applicant, further explanation as to any additional actual or potential resources which may be utilized, and so forth.

(d) *Compliance component.*—This component shall specify all reporting requirements and all conditions and restrictions applicable to the awarding and administration of security assistance grants, to be acknowledged by the notarized signature of the program director, or of the authorized official who will have ultimate authority for accounting, management of funds, verification of expenditures, and preparation of financial reports.

(2) Any housing authority that wishes to apply for security grant assistance under ss. 426.001–426.007 shall obtain from the bureau an application booklet as described in subsection (1), shall complete all sections of the application as required, and shall provide any supporting information or material required by the bureau pursuant to the application. Each application shall be submitted to the bureau at least 60 days prior to the requested starting date that is set forth in the timetable of planned activities. Each application also shall contain a resolution from the local governmental unit in which the eligible housing project is located, which resolution certifies that the proposed program is consistent with local plans and regulations.

**History.**—s. 3, ch. 84–250; s. 4, ch. 87–155; s. 52, ch. 87–225.

**426.006 Review of applications for security assistance grants.**—The bureau shall develop a numerical scoring system based upon the priorities established in accordance with s. 426.004 to assess quantitatively each application for a security assistance grant submitted to the bureau. The Secretary of Community Affairs shall appoint a five-member screening committee of qualified individuals who are not associated with the bureau, which committee shall programmatically and fis-

cally review every application submitted and shall evaluate each such application utilizing the numerical scoring system developed by the bureau. Any application scoring below a preset score, as determined by the bureau, shall be eliminated. Any remaining applications then shall be submitted to a technical review by the bureau. Each stage of the review process and procedures for final decision on, and approval of, applications shall be in accordance with the criteria, and within the maximum funding levels, established by the Department of Community Affairs.

**History.**—s. 3, ch. 84–250; s. 5, ch. 87–155.

**426.007 Monitoring and evaluation of security assistance grant programs.**—The Department of Community Affairs, through the Bureau of Public Safety Management, shall monitor each program for which a security assistance grant is awarded under ss. 426.001–426.007, to ensure that resources are being utilized in the manner proposed in the grant application as approved.

**History.**—s. 3, ch. 84–250; s. 6, ch. 87–155.

**426.008 Implementation of ss. 426.001–426.007; utilization of donations and grants.**—The Bureau of Public Safety Management of the Division of Housing and Community Development of the Department of Community Affairs has the power to seek, and make effective utilization of, such financial assistance as may be available for the implementation of ss. 426.001–426.007. Pursuant to such power, the bureau may seek and accept, for any of its purposes and functions under ss. 426.001–426.007, any and all donations and grants of money, equipment, supplies, materials, or services, conditional or otherwise, from the Federal Government or any local government, or any agency thereof, or from any person, firm, association, foundation, or corporation; and the bureau may receive, utilize, and dispose of such donations and grants as provided in ss. 426.001–426.007, subject to the terms, conditions, and regulations governing such donations, gifts, and grants.

**History.**—s. 5, ch. 84–250; s. 7, ch. 87–155.

**426.009 Handicapped and Elderly Security Assistance Program.**—There is created the Handicapped and Elderly Security Assistance Program, for the purpose of providing assistance grants to eligible applicants as provided in ss. 426.001–426.007. The Department of Community Affairs, through its Bureau of Public Safety Management, shall administer the program. All necessary and proper expenses of the bureau incurred by the operation of this section shall also be paid from funds appropriated for the program.

**History.**—s. 4, ch. 84–250; s. 8, ch. 87–155; s. 47, ch. 93–120.