

JUSTICE ASSISTANCE GRANT (JAG)

Program Area Descriptions

JANUARY 2024

The JAG program goal may be accomplished within the **9 Program Areas** listed and described below. JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, information systems for criminal justice, as well as research and evaluation activities that will improve or enhance:

- 01 Law Enforcement: These projects improve the operational effectiveness of law enforcement through a variety of techniques such as resource allocation, purchasing new equipment, and changing policies and/or procedures, among many other options. A key concept of this area is integrating services so that law enforcement agencies can better prioritize requests around the need for services and maximization of resources in fighting crime.

Types of projects can include purchase of basic law enforcement equipment and supplies such as mobile data terminals, computers, cameras, police cruisers, and tactical equipment, etc. which state and local law enforcement agencies were unable to purchase due to falling revenues. Past projects have included programs to divert mentally ill offenders at the arrest stage, sex offender apprehension units, and tactical teams to address emergency situations.

- 02 Prosecution and Court: These programs improve the operational effectiveness of the court process by: 1) expanding prosecutorial, defender, and judicial resources, and 2) implementing court programs with a special emphasis on management and process improvement based on better utilization of personnel or case routing. This area includes innovative or unique programs focused on drug, violent, or serious crimes, that are not typical of or similar to programs previously funded in this or other states, programs giving an especially innovative "twist" on previous approaches to a problem; and/or programs that cut across systems to involve law enforcement, courts, corrections, treatment, etc. and non-criminal justice entities.

- 03 Prevention and Education: Community and neighborhood programs that assist citizens in preventing and controlling crime, including special programs that address crimes committed against the elderly and special programs for rural jurisdictions. Over the past several years, the JAG Board has affirmed its support for quality, evidence or research-based prevention and education programming which reflects the Board's commitment to long-term planning and systemic change which occur when focusing on long-term prevention. It is understood by the JAG Board that if the state is committed to truly addressing crime and reducing recidivism, it must offer resources that can impact crime before it occurs. To that end, prevention and education programs including delinquency prevention will be considered. As in past years, the JAG Board encourages the commitment of other resources to support prevention and education services including funding from local governments.

- 04 Corrections and Community Corrections: Programs and strategies that demonstrate diversion or hinder further penetration into the criminal justice system. Programs designed to provide additional public correctional resources and improve the corrections system, including treatment in prisons and jails, intensive supervision programs, reentry, and long-range corrections and sentencing strategies. In Colorado, the types of projects previously funded in this Program Area include services to special populations such as offender and inmate populations with mental illness, sex offenders, domestic violence offenders, juvenile offenders and the homeless/offender population. Colorado has also been a leader in addressing the

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systems issues related to serving offenders with mental illness. Through the increased awareness of the needs of this population as well as the needs of the various systems that have contact with this population, Colorado has been able to establish innovative programs that address both these needs.

- 05 Drug Treatment and Enforcement: These programs and strategies identify and meet the treatment needs of adult and juvenile offenders with substance abuse, mental health and/or co-occurring issues using a collaborative multi-disciplinary approach. Programs in this area can target clients in the full spectrum of the criminal/juvenile justice system and have previously included programming such as gender-specific treatment for female offenders, aftercare programming for substance abusing offenders, substance abuse evaluation, testing and treatment for juvenile offenders, specialty treatment services for opiate and heroin using/dependent individuals, among others. **The JAG Board will not fund applications to support multi-jurisdictional drug task force activities.**
- 06 Planning, Evaluation, and Technology Improvement: Projects in this area support criminal justice planning at the state and local level through research and evaluation. This includes: 1) projects that facilitate integration of information technology in the criminal justice system with the goal of sharing information across systems and across separate and distinct jurisdictions; 2) research and evaluation projects which serve to improve and expand the current knowledge-base about the criminal and juvenile justice systems which ultimately leads to better decision-making and program implementation; and 3) projects that are proven effective and which ultimately serve to promote system improvement. **Information technology-related applications from state agencies must provide evidence that such project proposals have been reviewed and approved by the applicant agency's Office of Information Technology Chief Information Officer (CIO).**
- 07 Crime Victims and Witness Programs (other than compensation): Programs, activities, or spending focused on assisting crime victims, families, or witnesses. This program area for JAG funding can include programs to coordinate and integrate services to identify and respond to victims of crime. This can include, but is not limited to: innovative approaches to education about crime victimization and how to access services; specialized victim advocate positions focused on populations with unique needs, such as victims of elder abuse, human trafficking, identity theft, domestic violence, and sexual assault/abuse; support of unmet victim/witness protection needs; or assisting law enforcement agencies and district attorneys' offices in building capacity to adequately address crimes with complex victim needs, which again may include, to name a few, elder abuse, human trafficking, and identity theft.
- 08 Mental Health Programs and related Law Enforcement and Corrections Programs, including behavioral programs and crisis intervention teams: Disproportionate numbers of people with mental illness are involved in the criminal justice system often as a result of untreated or undertreated mental illness. This is an issue that impacts numerous facets of the criminal justice system. The JAG Board is interested in projects which support programs and policy changes aimed at the following: identifying and treating people with severe mental illness before they reach crisis point; training law enforcement and correctional officers on mental health and mental health related crisis-intervention; increasing justice system diversion

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strategies to divert offenders with mental illness from unnecessary arrest and incarceration to more appropriate and cost-effective community-based treatment and supervision; mental health courts; allowing inmates to continue psychotropic medication in jails; and improving oversight of mental health care in jails, increasing post-jail housing options and enhancing community mental health services.

09 **NEW** Implementation of State Crisis Intervention Court Proceedings and Related Programs or Initiatives, but not limited to, mental health courts, drug courts, veterans' courts, and Extreme Risk Protection Order Programs:

Minimum Requirements for Extreme Risk Protection Order Programs (ERPO)

ERPO programs must include, at a minimum:

- a. Pre-deprivation and post-deprivation due process rights that prevent any violation or infringement of the Constitution of the United States, including, but not limited to, the Bill of Rights and the substantive or procedural due process rights guaranteed under the fifth and 14th amendments to the Constitution of the United States, as applied to the states and as interpreted by state courts and United States courts (including the Supreme Court of the United States). Such programs must include, at the appropriate phase to prevent any violation of constitutional rights, at minimum, notice, the right to an in-person hearing, an unbiased adjudicator, the right to know opposing evidence, the right to present evidence, and the right to confront adverse witnesses.
- b. The right to be represented by counsel at no expense to the government.
- c. Pre-deprivation and post-deprivation heightened evidentiary standards and proof which mean not less than the protections afforded to a similarly situated litigant in federal court or promulgated by the state's evidentiary body, and sufficient to ensure the full protections of the Constitution of the United States, including, but not limited to, the Bill of Rights and the substantive and procedural due process rights guaranteed under the fifth and 14th amendments to the Constitution of the United States, as applied to the states and as interpreted by state courts and United States courts (including the Supreme Court of the United States). The heightened evidentiary standards and proof under such programs must, at all appropriate phases to prevent any violation of any constitutional right, at minimum, prevent reliance upon evidence that is unsworn or unaffirmed, irrelevant, based on inadmissible hearsay, unreliable, vague, speculative, and lacking a foundation.
- d. Penalties for abuse of the program.

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Additional Uses of JAG Funds - JAG funds awarded under this FY 2023 solicitation may also be used to:

- Support reentry projects with the goal of improving outcomes for incarcerated individuals returning to the community from prison or jail.
- Support projects related to preventing, detecting, seizing, and/or stopping the presence and use of contraband cellphones within correctional facilities. This includes the purchasing of managed access systems and other mitigation technologies (as permitted by applicable law).
- Purchase fentanyl and methamphetamine detection equipment, including handheld instruments and training for law enforcement safety, as well as opioid reversal agents.
- Purchase drug-detection canines to combat the rise of drug trafficking, including that of methamphetamines.
- Support efforts to seal and expunge criminal history information in accordance with state laws and policies.
- Support efforts to attract and retain an all-inclusive, diverse, expert, and accountable law enforcement workforce, with a focus on gender and racial diversity.
- Support virtual reality de-escalation training.
- Purchase humane remote restraint devices that enable law enforcement to restrain an uncooperative subject without inflicting pain.
- Purchase gunfire detection technology.
- Promote data sharing and sex offender monitoring.