

**COLORADO DIVISION OF CRIMINAL JUSTICE
OFFICE OF ADULT & JUVENILE JUSTICE ASSISTANCE**

2018 JAG Application Instructions

APPLICATION DEADLINE: 2/16/18

Justice Assistance Grant Program

JAG

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GENERAL INFORMATION

DEFINITIONS/ACRONYMS/ABBREVIATIONS

Applicant Agency	The agency which is applying for the JAG funds.
BJA	The Bureau of Justice Assistance, the federal agency that administers the Edward Byrne Memorial Justice Assistance Grant Program
Byrne	Edward Byrne Memorial Justice Assistance Grant Program.
DCJ	Division of Criminal Justice- One of four divisions within the Colorado Department of Public Safety
DUNS	Dun & Bradstreet Data Universal Numbering System (DUNS) number which is a unique number that identifies an organization and helps track the distribution of grant money. These are required as part of the implementation of the Federal Funding Accountability and Transparency Act of 2006 (Transparency Act) that went into effect January 1, 2009.
Implementing Agency	The agency that is responsible for the actual implementation of the project, and may be the same as the applicant agency, a component of it, or another agency entirely. For example, the applicant agency is the county, but the sheriff's office is the implementing agency, or if the city is the applicant agency but a non-profit organization is the implementing agency.
Indirect Costs	Indirect costs are costs of an organization that are not readily assignable to a particular project, but are necessary to the operation of the organization and the performance of the project. Examples of costs usually treated as indirect include those incurred for facility operation and maintenance, depreciation, and administrative salaries.
Legal Entity	The legal entity is the parent agency for the applicant, such as City of Lakewood if the applicant is the Lakewood Police Department or the Colorado Department of Human Services if applicant is the Division of Child Welfare. At times the applicant agency and legal entity will be one and the same.
JAG	The federal Edward Byrne Memorial <u>J</u> ustice <u>A</u> ssistance <u>G</u> rant Program that DCJ "passes through" to local and state government agencies in Colorado.
JAG Board	The Governor-appointed board which reviews project applications and makes funding recommendations.
OAJJA	Office of Adult and Juvenile Justice Assistance. The office within DCJ that administers the JAG and OJJDP grants.
Grant Agreement (GA)	Issued to approved projects. This document details the budget and other special considerations necessary for disbursement of funds to grantees. Along with the project application and any supporting documents, it is the contract between DCJ and the applicant agency.
Signature Authority	This is the individual authorized to enter into binding commitments on behalf of the applicant agency. For local units of govt., this will normally be a city manager, mayor, district attorney, and/or the chair of the county commission. At the state level, this individual will be a department or division head.
SAM	The System for Award Management (SAM) is combining federal procurement systems and the Catalog of Federal Domestic Assistance into one new system. This will streamline processes, eliminate the need to enter the same data multiple times, and consolidate hosting to make the process of doing business with the government more efficient.
ZOOMGRANTS	The Grant Management System in which projects are submitted and grants administrated

AMOUNT AVAILABLE: At this time, it is unknown how much will be available for the 2018 JAG program. Based on prior years' budgets, it is estimated that approximately \$2.1 million will be available for 2018 grant projects.

ELIGIBILITY: Units of government at the municipal, county and state level, including special districts may apply to the Office of Adult and Juvenile Justice Assistance, Division of Criminal Justice, for a JAG grant. The JAG program strongly encourages partnerships, so project applications may support projects involving combined teams of agencies at all levels, including non-profit organizations. However, non-profit organizations cannot apply directly for JAG funding*.

*The JAG Board finds that to prevent fragmentation of law enforcement it will accept limited grant applications from non-profit organizations representing statewide associations of local law enforcement. These non-profits must include in their applications how the grant will benefit statewide priorities adopted annually by the Board.

PROJECT CHANGES: You must apply and submit your 2018 project on-line. Applicants must follow all instructions. Each section is limited by a set number of characters. **We have edited these instructions to reflect current JAG Board priorities and required information. We highly recommend applicants read all the Application Instructions.** Letters of priority are now required, see Multiple Projects below.

PROJECT MATERIALS: Grant announcement, project applications and instructions can be obtained through the on-line application system, ZOOMGRANTS at <https://zoomgrants.com/gprop.asp?donorid=2225&limited=1258>. For questions regarding ZOOMGRANTS, contact Lyndsay Clelland at lyndsay.clelland@state.co.us. For questions other than technical ZOOMGRANTS issues, contact Kristy Wilson at Kristy.wilson@state.co.us or 303-239-4567.

CONTROLLED EXPENDITURES: Certain items (see page 9) are considered "Controlled Expenditures" and are only allowable under JAG with prior approval from the federal Bureau of Justice Assistance. This is a combination of items controlled under Executive Order 13688 on Federal Support for Local Law Enforcement Equipment Acquisition and/or statutorily by the JAG Program.

Applicants are required to attach a letter, on agency letterhead addressed to the BJA Director that addresses the 11 elements listed under Appendix B (page 42) of these 2017 JAG application instructions. If the JAG Board recommends funding that includes any of the 4 items listed below, this letter will then be forwarded to BJA for BJA Director approval. No funds can be expended until such written authorization from BJA is received by the Division of Criminal Justice.

MULTIPLE PROJECTS: Letters of priority are **required** when an agency is submitting multiple projects which must be submitted in ZOOMGRANTS under attachments. Letter must include rank order and why the agency has ranked projects in that order. **These are mandatory.**

PROJECT SUBMISSION: Project applications must be submitted on or before **FRIDAY, February 16, 2018.** **PROJECT APPLICATIONS MUST BE SUBMITTED ON-LINE.** Failure to submit a complete project application may result in denial of funding. Complete a separate application for each distinct project. You will have the ability to attach your organizational chart, and priority letter (if submitting multiple applications) and letters of support as applicable.

LETTERS OF SUPPORT: If you wish to submit letter(s) of support which speak to the collaborative relationship between your project and other agency(s)/organization(s), these can be submitted in ZOOMGRANTS under the Documents Tab. These are not mandatory.

JAG ADVISORY BOARD: The JAG Advisory Board is a Governor-appointed board that sets funding priorities, reviews applications and makes funding recommendations. The Board is composed of nineteen Governor-appointed members, representing various agencies and private citizens around Colorado. The Board encourages innovative projects that are community-based, collaborative, and address identified needs in a community or the state.

PURPOSE OF THE FUNDS: The goal for the 2018 Colorado Justice Assistance Grant (JAG) Program as established by the Governor-appointed JAG Board is:

To support implementation of sustainable programs or to provide resources that prevent or reduce or address crime, delinquency, recidivism, or improve outcomes for those affected by crime, using innovative, multidisciplinary, evidence-based, promising or best practices.

Projects are limited to a 48-month funding cap. Subsequent years of funding require an application and are awarded competitively; prior funding does not automatically ensure future funding. It is expected that state, local agencies and partner organizations will assume fiscal responsibility for projects when the federal JAG funding is no longer available.

PURPOSE AREA DESCRIPTIONS: The JAG program goal may be accomplished within the 7 Purpose 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 Purpose Area Description: 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. **Please see restrictions on funding noted on pages 8 and 9.**
- (02) Prosecution, Court and Indigent Defense Purpose Area Description: 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. Please note the exclusion of Drug Courts as listed under the JAG Funding Exclusions and Limitations.
- (03) Prevention and Education Purpose Area Description: 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. The Board also encourages local government to build the structures to support these services and prioritize them within their community.

- (04) Corrections and Community Corrections Purpose Area Description: 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 purpose 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 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 Purpose Area Description: 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 Purpose Area Description: 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) New: 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 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.

Colorado is also seeing a rise in heroin and opiate use, dependence and overdose related deaths. The JAG Board is interested in projects that assist in training law enforcement and other personnel in the criminal justice system in identifying high risk individuals; implementing specialized treatment services which may include medication assisted treatment and other innovative approaches to assist this population.

In addition to the JAG Board developed goal above, the federal Bureau of Justice Assistance (BJA) has identified several areas which the Colorado JAG Board also considers important for the state. These include:

Reducing Gun Violence

Gun violence has touched nearly every state, county, city, town, and tribal government in America. In an effort to address this continuing need BJA encourages states and localities to invest valuable JAG funds in programs to: combat gun violence, enforce existing firearms laws, improve the process used to ensure that those prohibited from purchasing or owning guns are prevented from doing so, enhance reporting to the Federal Bureau of Investigation's (FBI) National Instant Criminal Background Check System (NICS), and provide active shooter response training to law enforcement officers and first responders.

The Colorado JAG Board is interested in proposals for community prevention projects focused on improving systemic processes to reduce gun violence.

National Incident-Based Reporting System (NIBRS)- The FBI has formally announced its intentions to establish NIBRS as the law enforcement (LE) crime data reporting standard for the nation. The transition to NIBRS will provide a more complete and accurate picture of crime at the national, State, and local level. Once this transition is complete, the FBI will no longer collect summary data and will accept data only in the NIBRS format. Also, once the transition is complete, JAG award amounts will be calculated on the basis of submitted NIBRS data. Transitioning all law enforcement agencies to NIBRS is the first step in gathering more comprehensive crime data. BJA encourages recipients of JAG awards to use JAG funds to expedite the transition to NIBRS.

Officer Safety and Wellness- The issue of law enforcement safety and wellness is an important priority for the Department of Justice. Preliminary data compiled by the National Law Enforcement Officers Memorial Fund indicates that there were 135 line-of-duty law enforcement deaths in 2016 – the highest level in the past five years, and a 10 percent increase from 2015 (123 deaths). Firearms-related deaths continued to be the leading cause of death (64), increasing 56 percent from 2015 (41). Of particular concern is that, of the 64 firearms-related deaths, 21 were as a result of ambush-style attacks representing the highest total in more than two decades. Traffic-related

deaths continued to rise in 2016 with 53 officers killed, a 10 percent increase from 2015 (48 deaths). Additionally, there were 11 job-related illness deaths in 2016, mostly heart attacks.

BJA sees a vital need to focus not only on tactical officer safety concerns, but also on health and wellness as they affect officer performance and safety. It is important for law enforcement to have the tactical skills necessary, and also be physically and mentally well, to perform, survive, and be resilient in the face of the demanding duties of the profession. BJA encourages States to use JAG funds to address these needs by providing training, such as paying for tuition and travel expenses related to attending trainings such as the VALOR training, as well as funding for health and wellness programs for law enforcement officers.

Collaborative Prosecution- BJA supports strong partnerships between prosecutors and police as a mean to improve case outcomes and take violent offenders off the street. BJA strongly encourages State and local law enforcement to foster strong partnerships with prosecutors to adopt new collaborative strategies aimed at combating increases in crime, particularly violent crime. (BJA's "Smart Prosecution" Initiative is a related effort by OJP to promote partnerships between prosecutors and researchers to develop and deliver effective, data-driven, evidence-based strategies to solve chronic problems and fight crime.)

Recidivism Reduction, Pretrial Reform, and Justice System Realignment- In this time of fiscal austerity and smaller state and local budgets, reducing unnecessary incarceration in a manner that promotes public safety is a paramount goal. Effective community supervision of non-violent offenders coupled with evidence-based program interventions can result in significant reductions in recidivism. A priority funding area is the implementation of effective pretrial services programs. The use of validated risk assessment tools to inform pre-trial release decisions is critical. For a variety of resources, or to request BJA supported technical assistance from the Pretrial Justice Institute, see www.pretrial.org. Another priority for JAG funding is to support innovative programs and approaches in probation and parole supervision that improve services to offenders and increase collaborative efforts among community supervision agencies with law enforcement and the courts.

Another promising approach to justice systems reform is the Justice Reinvestment Initiative (JRI), which works to control spiraling incarceration costs through JRI and reinvesting in evidence-based criminal justice programs and strategies. Strategic investment of JAG funds to implement JRI legislation and policy changes can augment state and local funds and achieve greater cost savings and reinvestments in programs to promote public safety. (See the Urban Institute's Justice Reinvestment Initiative State Assessment Report.)

The Colorado JAG Board is interested in how innovative programs to reduce recidivism, pretrial reform and system realignment can lead to improved public safety and are not intended merely for the purposes of decreasing use of jails or prisons.

JAG FUNDING EXCLUSIONS: No JAG funding will be permitted for the following items/areas:

- Tactical and/or Passenger SUVs, Vans, Trucks, and Sedans (excluding SUVs and Sedans that are used for Police Patrol)
- Luxury items and Real estate
- Construction projects, other than penal or correctional institutions
- Segway, Golf Cart, ATV or similar
- Armored Vehicles
- Bus and/or RV (Recreational Vehicle)
- Boat (Police or Non-Police Boat)
- Command and/or Control Vehicles (Bus, Recreational Vehicle, etc.)
- No gift cards or incentives— contact DCJ for further clarification
- Food and beverages – contact DCJ for further clarification
- Conference costs – contact DCJ for further clarification
- Funds cannot be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. See JAG application instructions (Appendix A) for specific information regarding 12 step programs

- Manned Aircraft, fixed and/or rotary wing
- Explosives and pyrotechnics
- Tracked Armored Vehicles
- Weaponized aircraft, vessels and vehicles of any kind
- Firearms and /or ammunitions with a caliber of .50 or higher
- Grenade launchers
- Bayonets Camouflage Uniforms (digital patterns) * Woodland and desert patterns are allowable
- **NEW in 2018: No new applications for Specialty or Problem-Solving Courts Problem-Solving Courts**
- Multi-Jurisdictional Drug Task Force activities
- **NEW in 2018: Any security enhancements or any equipment to any nongovernmental entity that is not engaged in criminal justice or public safety.**

CONTROLLED EXPENDITURES: The following 4 items are considered “Controlled Expenditures” and are only allowable under JAG with prior approval from the Federal Bureau of Justice Assistance. This is a combination of items controlled under Executive Order 13688 on Federal Support for Local Law Enforcement Equipment Acquisition and/or statutorily by the JAG program

Applicants are required to attach a letter. On agency letterhead addressed to the BJA Director that addresses the 1 elements listed under Appendix B (page 72) of these JAG application instructions. If the JAG Board recommends funding that includes any of the 4 items listed below, this letter will then be forwarded to BJA for BJA Director approval. No funds can be expended until such written authorization from BJA is received by the Division of Criminal Justice.

- Unmanned Aircraft (UA), Unmanned Aerial Vehicle (UAV) and/or Unmanned Aerial System (UAS)
- Specialized firearms and ammunitions under .50 caliber (excludes firearms/ammunition for service issued weapons)
- Breaching Apparatus (battering ram or similar entry device)
- Riot Helmets, shield and/or batons (excluding service issued telescopic or fixed length straight batons)

JAG FUNDING LIMITATIONS: Due to the wide range of prices and limited funds, the JAG Board has set limitations/ funding caps on the following:

- Warranties are limited to one year unless included in a bundle package
- Computers (includes both laptops and desktops) – maximum federal funds applicant can request is \$1,500 per unit (this does not include Mobile Data Terminals or MDTs)
- Patrol Vehicles – maximum federal funds applicant can request is \$24,999 each.

JAG ADDITIONAL REQUIREMENTS:

- Body Armor: Ballistic-resistant and stab-resistant body armor can be funded through the JAG Program, as well as through BJA’s Bulletproof Vest Partnership (BVP) Program. The BVP Program is designed to provide a critical resource to State and local law enforcement through the purchase of ballistic-resistant and stab-resistant body armor. For more information on the BVP Program, including eligibility and application, refer to the BVP web page. States should note, however, that JAG funds may not be used as any part of the 50 percent match required by the BVP Program.

Body armor purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the body armor has been tested and found to comply with the latest applicable National Institute of Justice (NIJ) ballistic or stab standards. In addition, body armor purchased must be made in the United States.

As is the case in the BVP Program, agencies that propose to purchase body armor with JAG funds must certify that law enforcement agencies receiving body armor have a written “mandatory wear” policy in effect. FAQs related to the mandatory wear policy and certifications

can be found at <https://www.bja.gov/Funding/JAGFAQ.pdf>. This policy must be in place for at least all uniformed officers before any JAG funding can be used by the entity for body armor. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty. The certification must be signed by the Authorized Representative and must be attached to the application, if proposed as part of the application. A mandatory wear concept and issues paper and a model policy are available by contacting the BVP Customer Support Center at vests@usdoj.gov or toll free at 1-877-758-3787. The certification form related to mandatory wear can be found at:

www.bja.gov/Funding/BodyArmorMandatoryWearCert.pdf.

- **DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database:** If JAG program funds will be used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS, the national DNA database operated by the FBI) by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior express written approval from BJA. Funds may not be used for purchase of DNA equipment and supplies when the resulting DNA profiles from such technology are not accepted for entry into CODIS.
- **Body Worn Cameras:** Letter of support from other entities affected (for example, District Attorneys who will access videos for prosecution purposes) are required, as well as evidence that policies and procedures, etc. have been developed. Agencies that propose to use JAG award funds to purchase BWC equipment, or to implement or enhance BWC programs, must provide to DCJ who will then send to OJP a certification(s) that the State (or, if applicable, that any unit of local government that will receive funds from the State for BWC purposes) has policies and procedures in place related to BWC equipment usage, data storage and access, privacy considerations, training, etc. The certification can be found at <https://www.bja.gov/Funding/BodyWornCameraCert.pdf>. See <https://www.bja.gov/bwc/> for more information to guide these steps. The BJA BWC Toolkit also provides model BWC policies and best practices to assist departments in implementing BWC programs.
- **Interoperable Communications:** Applicants that use JAG funds to support emergency communications activities (including the purchase of interoperable communications equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission [FCC] Waiver Order) should review FY 2017 SAFECOM Guidance. The SAFECOM Guidance is updated annually to provide current information on emergency communications policies, eligible costs, best practices, and technical standards for State, local, tribal, and territorial grantees investing federal funds in emergency communications projects. Additionally, emergency communications projects should support the Statewide Communication Interoperability Plan (SCIP) and be coordinated with the full-time Statewide Interoperability Coordinator (SWIC) in the State of the project. As the central coordination point for their State's interoperability effort, the SWIC plays a critical role, and can serve as a valuable resource. SWICs are responsible for the implementation of the SCIP through coordination and collaboration with the emergency response community. The U.S. Department of Homeland Security Office of Emergency Communications maintains a list of SWICs for each of the States and territories. Contact OEC@hq.dhs.gov. All communications equipment purchased with FY 2017 JAG program funding should be identified during quarterly performance metrics reporting. In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the recipient to comply with DOJ's Global Justice Information Sharing Initiative guidelines and recommendations for this particular grant. Recipients must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://www.it.ojp.gov/gsp_grantcondition. Recipients must document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

- Law Enforcement Officer training (including all associated costs, i.e. travel, hotel, registration fees): Applicant must show that they have requested POST support and been denied for the JAG Board to consider or explain why POST was not contacted for support.
- Out of state conferences: applicant must provide specifics about the training content and why it is not available in state.

LOCAL LAW ENFORCEMENT GRANT (LLEG) PROGRAM

Due to reduced JAG funding, the LLEG funding may not be available in 2018. All law enforcement agencies are encouraged to apply for JAG funding under this solicitation.

EVIDENCE-BASED PRACTICES FOR CRIMINAL AND JUVENILE JUSTICE

The Colorado JAG Board established one goal for the JAG program which includes the use of evidenced based and/or promising practices and applicants are highly encouraged to consider use of research, evidence-based or promising practices, programs and activities. There are many resources available regarding evidence-based and promising practices in both the criminal and juvenile justice systems including work done by the Washington State Institute for Effective Public Policy (<http://www.wsipp.wa.gov/>). There are also numerous definitions of these terms. In order to provide guidance for JAG applicants, links are included to several documents intended to provide a framework for determining whether proposed projects will meet the established JAG goals to prevent and reduce crime and delinquency using collaborative evidence-based and promising practices; and/or to improve outcomes through effective and efficient use of resources (financial, community, human) to bridge gaps within the criminal and juvenile justice system. Because priority for JAG funding will be given to those applicants who are requesting funding to implement evidence-based and/or promising practices, programs and/or activities, applicants for 2017 JAG funding are highly encouraged to access the information provided (and other resources on evidence-based and promising practices of which they may be aware) in developing their proposed projects as well as determining what evaluation activities they will undertake to show the effectiveness of their proposed programs in meeting the goals of the JAG program.

For the last several years, the Colorado Commission on Criminal and Juvenile Justice (CCJJ) has been addressing the need for evidence-based and promising practices focused on reducing recidivism and victimization by replacing traditional criminal justice practices with a wide range of strategies that promote systemic change. The CCJJ Annual Reports (<https://www.colorado.gov/pacific/dcj-ors/ors-reports>) provide a great deal of information regarding the CCJJ recommendations put forward to the Governor, several of which are in the process of being implemented, some through legislation and others through grants awarded under the JAG program.

Much of the initial work of the CCJJ was largely based upon two bodies of literature. The first was *What Works- Effective Recidivism Reduction and Risk Focused Prevention Programs* published by the Colorado Division of Criminal Justice in February of 2008 (https://cdpsdocs.state.co.us/ors/docs/reports/2008_WhatWorks.pdf). This report is based on a comprehensive and systematic review of the criminology literature on what works to reduce recidivism or prevent the onset of delinquent and criminal behavior. Information was obtained by reviewing evaluation and other reports on correctional interventions and early, risk-focused prevention programs operating in the United States and Canada. To identify what works, both quality and consistency of the evidence was considered. Quality was addressed by basing the conclusions presented here on the latest and most rigorous scientific evidence available. Consistency was addressed by focusing on research that synthesized the evaluation results from many studies and programs.

The second body of literature used by the CCJJ, entitled *Evidence Based Correctional Practices* (https://cdpsdocs.state.co.us/ors/docs/reports/2007_CCJJ_EBP.pdf) and provided by the DCJ's Office of Research Statistics, includes principles of evidence based corrections developed by the

National Institute of Corrections (NIC). The NIC *Integrated Model* emphasizes the importance of focusing equally on evidence-based practices, organizational change, and collaboration to achieve successful and lasting change. The scope of the model is broad enough that it can be applied to all components of the criminal justice system (pretrial, jail, probation, parole, private/public, etc.) and across varying jurisdictions, i.e. local, county, state, etc. (<http://www.nicic.org/pubs/2004/019342.pdf>).

There are several sources when looking for evidence-based or promising practices to address the mental health, substance use or co-occurring disorders which are prevalent within the adult criminal and juvenile justice offender population. One such document is *Improving Outcomes for people with Mental Illnesses under Community Corrections Supervision: A Guide to Research-Informed Policy and Practice* developed by the MacArthur Foundation and the Justice Center within the Council of State Governments (<https://csgjusticecenter.org/cp/publications/improving-outcomes-for-people-with-mental-illnesses-under-community-corrections-supervision-a-guide-to-research-informed-policy-and-practice/>). This guide is divided into three sections: 1.) the nature and extent of the problem, 2) strategies to improve outcomes for people with mental illness under community corrections supervision, and 3) future research questions and implications for policy and practice. The Substance Abuse and Mental Health Services Administration (SAMHSA) has also developed a National Registry of Evidence-based Programs and Practices (NREPP) (<http://www.nrepp.samhsa.gov/>) which is a searchable database of interventions for the prevention and treatment of mental health and substance use disorders. The National Institute on Drug Abuse (NIDA) has also published thirteen Principles of Drug Abuse Treatment for Criminal Justice Populations (http://www.nida.nih.gov/PDF/PODAT_CJ/PODAT_CJ.pdf) which is intended to describe the treatment principles and research findings that have particular relevance to the criminal justice community and to treatment professionals working with drug abusing offenders. It is divided into three main sections: (1) research findings on addicted offenders distilled into 13 essential principles, (2) a series of frequently asked questions (FAQs) about drug abuse treatment for those involved with the criminal justice system, and (3) a resource section that provides Web sites for additional information. A summary of the research underlying both the principles and the FAQs is available on NIDA's Web site at <http://www.drugabuse.gov/>.

Research in Briefs are regularly developed by the Division of Probation Services at the State Court Administrator's Office which recognized that Districts often do not have the time to sift through research and consider how they might utilize the information and adjust practices to become more effective. In an effort to make this information more widely available and useful, "Research in Briefs" are both disseminated and posted on the Judicial Department's website. These documents at <https://www.courts.state.co.us/Administration/Division.cfm?Division=prob> are intended to summarize potentially helpful information related to effective practices and suggest possible and practical application of the information. Topics and practical applications that reinforce the principles of effective interventions are chosen for inclusion in these publications.

Although specific issues pertaining to the juvenile justice system are not currently being addressed by the CCJJ, there is a whole body of evidence regarding evidence-based and promising practices which can guide JAG applicants in addressing issues within the juvenile justice system. For additional information regarding research or evidence-based juvenile programming, there are several resources including the Model Programs Guide (MPG) website at <http://www.ojdp.gov/mpg>, which has been developed by the Office of Juvenile Justice and Delinquency Prevention. This website is designed to assist practitioners and communities in implementing evidence-based prevention and intervention programs that can make a difference in the lives of children and communities. The MPG database of evidence-based programs covers the entire continuum of youth services from prevention through sanctions to re-entry. The MPG can be used to assist juvenile justice practitioners, administrators, and researchers to enhance accountability, ensure public safety, and reduce recidivism. The MPG is an easy-to-use tool that

offers the first and only database of scientifically proven programs across the spectrum of youth services.

Other resources for evidence-based programs include:

Source	Web address
Provides information on several crime reduction and prevention program and practices	http://www.crimesolutions.gov/
National Training and Technical Assistance Center which serves as BJA's training and technical assistance center. Website provides resources, tools, webinars, and TTA support on a variety of criminal justice issues and initiatives.	https://www.bjatrain.org/
Contains resources to support strategic planning, program development, and implementation of evidenced-based policy and practice.	http://www.ncjp.org/
Evidence-based Policing Matrix provides information on evidenced-based practices for law enforcement	http://cebcp.org/evidence-based-policing/the-matrix/
What works in Reentry Clearinghouse provides research on the effectiveness of reentry programs and practices	https://whatworks.csgjusticecenter.org/
Blueprints for Violence Prevention	http://www.colorado.edu/cspv/blueprints/
CASEL (Collaborative for Academic, Social, and Emotional Learning)	http://www.casel.org/research#Field
Centers for Disease Control and Prevention	http://www.cdc.gov/publications/
Colorado Office of Interagency Prevention Systems	https://www.colorado.gov/pacific/cssrc/evidence-based-programs
Community Guide for Helping America's Youth	http://youth.gov/
Department of Education Safe, Disciplined, and Drug Free Schools	http://www2.ed.gov/about/offices/list/osdfs/programs.html
Drug Strategies, Inc.	http://www.drugstrategies.org/
Improving Transition Outcomes for Youth Involved in the Juvenile Corrections System	http://www.ncwd-youth.info/juvenile-justice-guide
Institute of Medicine	http://www.nationalacademies.org/hmd/
NIDA Preventing Drug Abuse	http://www.drugabuse.gov/publications/preventing-drug-abuse-among-children-adolescents/preface
National Institute of Justice What Works Report	http://www.ncjrs.gov/works/
Promising Practices Network	http://www.promisingpractices.net/
National Registry of Evidence-based Programs and Practices	http://www.nrepp.samhsa.gov/
Research in Briefs/ CO State Court Administrator's Office	https://www.courts.state.co.us/Administration/Division.cfm?Division=prob

REPORTING REQUIREMENTS: The Division of Criminal Justice (DCJ) requires quarterly reports that document the project's progress towards meeting its goals and objectives, and its expenditures under the approved budget. All quarterly reports are due by the 15th day following each calendar quarter and must be submitted on-line using the grants management system. DCJ maintains the right to withhold payments if reporting requirements are not met in a timely manner.

PERFORMANCE MEASURES: The Bureau of Justice Assistance has established mandatory performance measures which must be submitted by the 15th day following each calendar quarter and must be submitted on-line using the federal OJP's Performance Management Tool or PMT. The actual measures will be determined at the time of award and are dependent on which year of funding is assigned to each project. If the mandated performance reporting data required by DCJ is not provided during project implementation in a timely manner, it can result in the cancellation of the grant and DCJ may request a refund of federal funds expended during the period of non-compliance. Non-compliance can also adversely affect eligibility for future federal funding under

this program. This JAG-mandated performance measure reporting is in addition to any other required reporting including quarterly narrative and financial reports.

MATCH/OTHER BUDGET CONSIDERATIONS

- Although match is not a requirement for this funding, the JAG Board encourages applicants to show a commitment from either state or local governments, a portion of a direct JAG award from BJA (for eligible jurisdictions), or other funding committed by partner agencies for this project. This other funding will need to be identified and documented in the application.
- Jurisdictions that receive a direct award from BJA for JAG funding will not be automatically excluded from applying for the portion of funds awarded to the state.
- **Applicants who are applying for continuation funds or expecting to apply for continuation funding in future years (up to 48 months) for the same project will be expected to reduce their requested funding by 10% for each subsequent year.**

INDIRECT COSTS: Indirect costs are costs of an organization that are not readily assignable to a particular project, but are necessary to the operation of the organization and the performance of the project. Examples of costs usually treated as indirect include those incurred for facility operation and maintenance, depreciation, and administrative salaries.

If applicant meets any of the two requirements below, they are eligible to request indirect costs at the approved rate.

Who must have a Federal Indirect Cost Rate Agreement?

- A governmental department or agency unit that receives more than \$35 million in direct Federal funding must submit its indirect cost rate proposal to its cognizant agency for indirect costs.
- Other governmental department or agency (receiving less than \$35 million in direct Federal Funding) must develop an indirect cost proposal in accordance with the requirements of this Part (2 CFR 200) and maintain the proposal and related supporting documentation for audit. These governmental departments or agencies are not required to submit their proposals unless they are specifically requested to do so by the cognizant agency for indirect costs.

If the applicant has never received a federal negotiated indirect cost rate, and is not required to have a federal negotiated indirect cost rate, they are eligible to request the "**de minimis**" rate which is 10% of the **Modified Total Direct Costs (MTDC)**.

When using this method, cost must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. Also, if this method is chosen then it must be used consistently for all Federal awards.

What is the Modified Total Direct Cost, or MTDC?

- This base includes all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and subawards up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award).
- MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs, and the portion of each subaward in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency (OJP).

LENGTH OF FUNDING: Grants are typically awarded for up to a twelve (12) month period, with this cycle from **January 1, 2019 through December 31, 2019 (NOTE NEW AWARD PERIOD)**.

Projects are eligible for a maximum of 48-months of funding. Funding beyond the first year will be determined based on the performance of grantee, meeting reporting requirements and availability of funds.

REQUIREMENTS AND SCORING: Applications will be reviewed by the JAG Advisory Board using the criteria listed below. If a project application is denied funding, a letter describing the reasons for the denial of funding and information on how to request reconsideration (if eligible for reconsideration) of the JAG Board decision will be sent to the applicant.

- Applicant meets eligibility requirements. Applications must be submitted through a unit of government* (e.g. city, town, county, municipality, district attorney, or state), and must be signed by an “Authorized Official” with the authority to commit funds and enter into contractual agreements.
- **NEW in 2018:** Applicants shall provide evidence that demonstrates their efforts to secure other financial support for the project costs, including requests through the entity’s regular funding process, before applying for JAG funds. This can include minutes from county commissioner or city council meetings, decision items or other communications at the state level, or any such documentation show the request and subsequent denial. If such requests were not made in advance of the JAG application submission, the applicant shall explain why other resources were not sought.
- **NEW 2018:** Applications for equipment (e.g. – portable radios, EID-electromuscular incapacitation devices (Tasers), etc…) will be required to address the following:
 - Is funding requested for specific make and model? If so, why was this specific make and model selected?
 - What is the applicant’s staffing pattern; specifically, what is the maximum amount of people on shift for a regular day who would be using this equipment?
 - What are the alternate funding sources sought (e.g. local government budget, e911 authority boards, other grants, and surplus programs)?
- **NEW 2018:** Preference will be given to applicants who use a pooled/banked equipment approach.
- Applicant demonstrates the capability and authority to successfully complete the proposed project. This includes the ability and willingness to comply with federal and state administrative, financial, evaluation, and other reporting and record keeping requirements.
- The applicant clearly identifies need through use of statistics/information at the level of the project (i.e., using current state or local data, not national).
- Applicant describes the involvement and mutual support within the community for this project or has clearly articulated why this is a single agency project and not one that would/should be collaborative.
- A plan to reduce reliance on federal JAG funds is developed. Continuation projects are required to reduce their federal funding request for continuation budgets by 10% each subsequent year of JAG funding.
- Applicant provides a clear, focused and concise description of the project.
- The proposed project is likely to positively impact the Colorado JAG Board’s Goal: To support implementation of sustainable programs or to provide resources that prevent or reduce or address crime, delinquency, and recidivism, or improve outcomes for those affected by crime; using innovative, multidisciplinary, evidence-based, best, or promising practices.
- The applicant clearly demonstrates that the proposed project will solve critical problems within a state or local agency, or agencies, and/or within a community.
- The project shows a high probability of improving the functioning of a juvenile and/or criminal justice agency, or agencies, and/or juvenile/criminal justice systems either at the local or state level.
- The applicant clearly describes the analyses made of other potential funding sources for this project, the specific efforts to utilize those funding sources and why those sources are not available for this project.

- The applicant explains why funds for this project were or were not requested through the entity's regular funding process.
- Goals and Objectives are logical, sensible, clearly written and directly tied to the project.
- Objectives and Outcomes are realistic and able to be accomplished in the time frames described.
- Outcomes identify the amount of intended change expressed as a rate, percent or whole number. Measures are included that will sufficiently document any change that occurs.
- Applicant describes how the acquired data as described in the Goals & Objectives section will be collected and used and what individual(s)/groups will meet (and how often) to continually monitor the project, should necessary adjustments to maximize success be required.
- Budget items are detailed, reasonable, specifically defined, justified and applicant demonstrates how those costs were determined. No concerns of supplanting have been identified.
- The project demonstrates the ability to meet the requirements of reporting on the mandatory performance measures within the 15-day due date.
- Applicant has successfully managed projects in the past. Previous projects were successful, and were managed effectively and applicant complied with all administrative and reporting requirements.

For small law enforcement grants:

- **NEW in 2018: Applicants shall provide evidence that demonstrates their efforts to secure other financial support for the project costs, including requests through the entity's regular funding process, before applying for JAG funds. This can include minutes from county commissioner or city council meetings, decision items or other communications at the state level, or any such documentation show the request and subsequent denial. If such requests were not made in advance of the JAG application submission, the applicant shall explain why other resources were not sought.**
- **NEW 2018: Applications for equipment (e.g. – portable radios, EID-electromuscular incapacitation devices (Tasers), etc...) will be required to address the following:**
 - Is funding requested for specific make and model? If so, why was this specific make and model selected?
 - What is the applicants staffing pattern; specifically, what is the maximum amount of people on shift for a regular day who would be using this equipment?
 - What are the alternate funding sources sought (e.g. local government budget, e911 authority boards, other grants, and surplus programs)?
- **NEW 2018: Preference will be given to applicants who use a pooled/banked equipment approach.**
- The proposed project clearly satisfies a critical agency or community need which is not a product of the agency's failure to plan.
- The applicant clearly demonstrates that the proposed request will solve critical problems within their local agency or community. The project should offer a high probability of improving the functioning of the criminal justice agency at the local level.
- The proposal will improve safety, security, and/or efficiency through meeting basic needs of the agency or community.

REQUESTS FOR RECONSIDERATION: Only those applicants who are recommended for funding at less than 50% of their requested federal amount are eligible to request reconsideration. Disqualification for failing to meet the minimum requirements and recommended funding amounts of 50% or above the requested amount are not subject to reconsideration. The reconsideration process will be outlined in the notification letters sent to applicants via the grants management system informing them of the initial funding decision.

TIMELINE

Announcement and application available via ZOOMGRANTS: Early January 2018

Instructional Webinar on ZOOMGRANTS: A webinar on how to apply for 2018 JAG funds is available on the DCJ/OAJJA website at: <https://sites.google.com/a/state.co.us/department-of-criminal-justice/home/grants/zg-dcj>. Applicants are highly encouraged to view the webinar prior to applying.

If you experience problems or have questions about how to use ZOOMGRANTS, contact Lyndsay Clelland at lyndsay.clelland@state.co.us or 303-239-4450. For questions regarding the JAG application, other than technical ZOOMGRANTS issues, contact Kristy Wilson at kristy.wilson@state.co.us or 303-239-4567.

Project Application Deadline: Submitted on-line on or before February 16, 2018.

Project applications available on-line to the JAG Board Members: March 2018

Email notification of oral presentations for funding conference: April 2018

Project application review and oral presentation: April 16-20, 2018. (Reserve these dates. Project Directors may be scheduled for a 10-minute presentation.)

Notification of funding recommendations via ZOOMGRANTS: April 2018

Requests for Reconsideration Deadline via on-line process for projects recommended at funding less than 50% of requested amount: May 2018

Reconsideration Meeting: June 2018

Notification to appellants of final funding recommendations: July 2018

Receipt of Director's Approval: August 2018

Grant Agreements (GA) available to grantees: August/September 2018

Project Duration: **NEW in 2018: January 1, 2019 to December 31, 2019 (exceptions may be requested).**

Mandatory Project Director/Financial Officer Training: A series of webinars will be posted on line at <http://dcj.oajja.state.co.us/training>. It is expected that all Project Directors and Financial Officers will participate in the webinars.

ACCOUNTABILITY AND TRANSPARENCY

All potential grant applicants who plan to apply for federal funding from the Colorado Division of Criminal Justice or any other agency must make sure that their agency has a Dun & Bradstreet Data Universal Numbering System (**DUNS**) number and has registered with **SAM**. These are required as part of the implementation of the Federal Funding Accountability and Transparency Act of 2006 (Transparency Act) that went into effect January 1, 2009.

A DUNS number is a unique number that identifies an organization and helps track the distribution of grant money. Verify whether or not your agency has a DUNS number and a current registration in SAM. **If your agency does not have a DUNS number, and/or is not currently registered in SAM, begin these processes now due to the time required to complete these.** Grant awards without a DUNS number and a current registration in **SAM** will have a Special Condition placed on award documents to complete this requirement within 30 days of the start of the grant project

period. It is imperative that this timeframe is met per reporting requirements under the Transparency Act.

To obtain a DUNS number online, go to the DUNS registration website at <https://fedgov.dnb.com/webform/index.jsp> or call the Dun & Bradstreet hotline at 1-866-705-5711. You will receive a DUNS number within one day. There is no cost associated with obtaining a DUNS number. Your DUNS number is required as part of the SAM registration process.

The next step is to register with SAM:

- Go to www.sam.gov
- Click on Create an Account
- Choose Individual account
- Provide the requested information and submit
- Receive the email from “notifications” and click through the sam.gov link to validate your Account
- Log in at <https://sam.gov> with the username and password you created

SAM will send notifications to the registered user via email 60, 30, and 15 days prior to expiration of the Entity. To update or renew your Entity records(s) in SAM you will need to create a SAM User Account.

A Full Users Guide as well as Quick Users Guides are available at www.sam.gov which you may want to review prior to registering with SAM.

NOTE: IF YOU DO NOT HAVE A DUNS # OR HAVE NOT REGISTERED WITH SAM, YOU WILL NOT BE ABLE TO SUBMIT YOUR PROJECT APPLICATION ON-LINE.

ADDITIONAL INFORMATION

JAG funds are issued for the State of Colorado by the Department of Public Safety, Division of Criminal Justice (DCJ), under its grant-making authority, CRS 24-33.5-503 and the Omnibus Anti-Drug Abuse Act of 1988 (42 U.S.C. 3701, et seq., as amended).

DCJ reserves the right to reject any and all applications, to waive informalities and minor irregularities in the applications received and to accept any portion of the application for funding, if deemed to be in the best interest of the State of Colorado and JAG to do so. DCJ reserves the option of holding for future consideration those applications with merit that were not funded. Any future consideration is dependent on the availability of federal funds.

EEOP

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form 30, which is available online at https://cdpsdocs.state.co.us/oajja/Reporting_Forms/Form30EEOPCertificationofCompliancewithRegulationsREVISED082015.pdf.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form

(https://cdpsdocs.state.co.us/oajja/Reporting_Forms/Form30EEOPCertificationofCompliancewithRegulationsREVISED082015.pdf) and return it to the OAJJA/DCJ who will submit to the OCR.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days of grant start date. For assistance in developing a Utilization Report, please consult the OCR's website at <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>. In addition, your organization has to complete Section C of the Certification Form 30 (https://cdpsdocs.state.co.us/oajja/Reporting_Forms/Form30EEOPCertificationofCompliancewithRegulationsREVISED082015.pdf) and return it to the OAJJA/DCJ who will submit to the OCR. To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOsubmission@usdoj.gov.

If there is a significant change in the orientation, organization, goals and/or target population, a continuation project/application may be viewed as a new project application. It is the responsibility of the applicant to present the justification in writing along with the application.

Criminal History Records

Projects designed to automate and improve criminal history records must comply with national standards for image and protocol specifications, the Colorado Crime Information Center Plan and the Criminal History Records Improvement Act (Part E of the Omnibus Crime Control and Safe Streets Act as amended 1991). Applications in this area will be evaluated for consistency with the Criminal History Records Improvement Plan as required by Congress. The reporting of conviction of alien born or suspected alien born offenders to the CCIC is required. Intelligence information systems must comply with the requirements of 28 C.F.R. Part 23, "Criminal Intelligence System Operating Policies." Copies of these documents and references are available upon request from OAJJA.

Global Justice Information Sharing

In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: http://www.it.ojp.gov/gsp_grantcondition. Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

IT Systems

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

Financial Obligations of the State

Financial obligations of the State payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted and otherwise made available. In the event funds are not appropriated, any resulting contract (Grant Award) will become null and void, without penalty to the State of Colorado.

Materials Submitted

All material submitted regarding application for JAG funds becomes the property of the State of Colorado and is subject to the terms of Colorado Revised Statutes 24-72-201 through 24-72-206, Public Open Records. The State of Colorado has the right to use any or all information/material presented in reply to the Announcement, subject to limitations for proprietary or confidential information. Disqualification or denial of the application does not eliminate this right. Any restrictions on the use or inspection of material contained within the proposal shall be clearly stated in the proposal itself. The contents of the application will become contractual obligations if the project is funded.

ZOOMGRANTS APPLICATION STEPS

THERE ARE SPECIFIC INSTRUCTIONS REGARDING ZOOMGRANTS THAT YOU SHOULD READ PRIOR TO BEGINNING YOUR APPLICATION. THESE ZOOMGRANT INSTRUCTIONS ARE LOCATED AT:

[HTTP://DCJ.OAJJA.STATE.CO.US/HOME/CURRENT-FUNDING-ANNOUNCEMENTS](http://dcj.oajja.state.co.us/home/current-funding-announcements)

PROJECT APPLICATION TIPS

A DUNS number and registration with SAM is required to submit your **Project Application** on-line.

Be aware that the JAG Board is comprised of subject matter experts within the criminal and juvenile justice system. Assume a high level of understanding and expertise of readers when completing your problem statement and project plan. This often helps in keeping the language short and to the point.

Use only whole dollar amounts in your budget and be sure to have the financial person who will be working on the project with you look over and verify your proposed budget.

Eliminate jargon wherever possible; define or do not use acronyms.

Make sure there is a thread that ties the project application together from the problem statement through the evaluation, the elements should all be related, flow, and make sense.

Illustrate the collaborative efforts where appropriate. This is vitally important when grant projects involve or potentially impact other agencies or systems.

Treat evaluation as an integral part of the proposal development process and not as an afterthought.

Organize goals and objectives. Make sure objectives are measurable.

Goals and objectives and the evaluation (the project as a whole) should be viable.

For continuation applicants/projects explain what has changed from the previous year. Include information on progress to date, the Board is very clear that it wants to fully understand what has been and not been accomplished and why.

Justify and explain all budget items and calculations in the budget narrative (example-price per unit x number of units =).

Double-check the budget descriptions to make sure that it contains a sufficient level of detail and all figures add correctly.

Provide information about why you did not ask for the requested funding for this project through your agency's regular budgeting process. If you did, what was the reason for denial?

Grant writing tips can be found at many websites by searching the words Grants or Funding.

JAG Project Application Instructions

SUMMARY TAB

Project Name/Project Title: Please be descriptive of the project to be funded and do not label it merely “JAG 2018 project”. If this is a continuation application, please use previous project Title but add the year of funding, i.e. Year #2.

Amount Requested: Enter the amount of JAG funding requested in this application. Continuation applicants must show a 10% reduction from prior year funding.

Organization Information: Enter all requested information for the applicant agency.

If you have questions about updating your ***Applicant Information***, please contact Kyle McDonald at (303) 239-4452.

PRE-APPLICATION/ORGANIZATIONAL DETAILS TAB

Applicant “Doing Business As” (DBA) under a parent company/unit of Government: (Q1) y/n

Legal Entity Name: (Q2) If your agency is a DBA, the Legal name will be different than the Applicant name. If your agency is NOT a DBA, then the Applicant Name and Legal Entity name will be the same. (See definition on page 3 of these instructions for more information.)

Legal Entity Physical Address: (Q3) Street Address, City, State, Zip +4

Applicant Type: (Q4) Select either 1) State-level, quasi-governmental and pre-approved not-for-profit or 2) Public/ Government

Are you a Colorado State Agency? (Q5) Mark yes only if a state agency.

Legal Entity County: (Q6) Enter the county of your legal entity address.

QUESTIONS/STATEMENT OF WORK TAB

Project Duration: (Q1 & 2) The project period will be October 1, 2018 to September 30, 2019. If you anticipate an abbreviated project period (such as 6 months) or are a continuation grant which has been extended, you can adjust the start and/or end dates accordingly. Enter the anticipated project duration dates using the month/day/year method.

Application Type: (Q3) Please select 2018 Colorado Justice Assistance Grant (JAG)

New/Continuation: (Q4) Check whether this is a new or continuation project. If a continuation, you will list prior grant(s) (Grant #(s), amount and Title) information under the Tables Tab and Progress/Changes later in this section. It is vitally important that this selection be correct as the JAG Board must see information on past progress for continuation projects. **If you have a current JAG subgrant and are unsure if this project would or would not be considered a continuation, contact your current Grant Manager.**

Project Officials: (Q5-16) You must have a minimum of three contacts for this application, the Project Director, Financial Officer and Signature Authority (also called the Authorized Official). All

three must be from the applicant agency and must be unique individuals; one person cannot serve in more than one role.

PROJECT DIRECTOR: This must be an individual other than the authorized official or financial officer and must be from the applicant agency. Enter the name, title, agency, mailing address, telephone number, Fax line, and e-mail address, if applicable, of the Project Director. The project director is the individual who will be in direct charge of the project and must be within the organizational structure of the applicant agency. This should be a person who combines knowledge and experience in the project area with ability in administration and supervision of personnel and will be expected to devote a major portion of his/her time to the project. This person will be required to sign all quarterly reports, cash requests, and other grant forms.

FINANCIAL OFFICER: This must be an individual other than the project director or authorized official and must be from the applicant agency. Enter the name, title, agency, mailing address, telephone number, Fax line, and e-mail address, if applicable, of the Financial Officer. The financial officer is the person who will be responsible for fiscal matters relating to the project and in ultimate charge of accounting, management of funds, verification of expenditures, and grant financial reports.

SIGNATURE AUTHORITY: This must be an individual other than the project director or financial officer. Enter the name, title, agency, mailing address, and telephone number of the Authorized Official. This is the individual authorized to enter into binding commitments on behalf of the applicant agency. For local units of government, this will normally be a city manager, mayor, district attorney, and/or the chair of the county commission. At the state level, this individual will be a department or division head.

STATEMENT OF WORK

Project Summary: (Q17) (Limit 1000 characters) Provide a brief description of the proposed project which will be used for the memo to the Governor and for reporting purposes to the Bureau of Justice Assistance for funded projects. Include a brief description of how your project will address the 2018 JAG goal. Also include target population, estimated number to be served annually and cost per person (if applicable). It is important to use this section to “hook” the JAG Board readers; be clear, succinct but truly show the issue or problem you are wanting to impact.

Problem Statement: (Q18) (Limit 5000 characters) Clearly identify need through use of statistics/information at the level of the project (i.e., using current state or local data, not national).

All projects must demonstrate a capability to improve the administration of justice and/or impact the reduction of crime or delinquency. Applicants must provide enough detail within this application for a reader to fully understand what the project is, what it will be doing, and how it will impact the described problem.

Clearly identify need through use of statistics/information at the level of the project (i.e., using current state or local data, not national). This section should include the following:

- A description of the problem in terms of causes and consequences. Articulate why this problem should be addressed. Use published literature to support your description where appropriate.
 - The extent and nature of the problem in your target population and/or community. Use data to support your description.
 - Provide a description of what makes you uniquely qualified to impact this problem.
 - Explain why you are requesting grant funds; did you experience a loss of funding, is this an unexpected and unplanned emergent issue that arose, etc.?
- **NEW in 2018: Applicants shall provide evidence that demonstrates their efforts to secure other**

financial support for the project costs, including requests through the entity's regular funding process, before applying for JAG funds. This can include minutes from county commissioner or city council meetings, decision items or other communications at the state level, or any such documentation show the request and subsequent denial. If such requests were not made in advance of the JAG application submission, the applicant shall explain why other resources were not sought.

- NEW 2018: Applications for equipment (e.g. – portable radios, EID-electromuscular incapacitation devices (Tasers), etc...) will be required to address the following:
 - Is funding requested for specific make and model? If so, why was this specific make and model selected?
 - What is the applicants staffing pattern; specifically, what is the maximum amount of people on shift for a regular day who would be using this equipment?
 - What are the alternate funding sources sought (e.g. local government budget, e911 authority boards, other grants, and surplus programs)?
- NEW 2018: Preference will be given to applicants who use a pooled/banked equipment approach.

Project Plan: (Q19) (Limit 6500 characters)

Small Local Law applicants: Provide a clear, focused and concise description of the project. Describe how the proposed project clearly satisfies a critical agency or community need which is not a product of the agency's failure to plan. Clearly demonstrate that the proposed request will solve critical problems within the local agency or community. The project should offer a high probability of improving the functioning of the criminal justice agency at the local level. Describe how this proposed project will improve safety, security, and/or efficiency through meeting basic needs of the agency or community. Clearly describe the analyses made of other potential funding sources for this project, the specific efforts to utilize those funding sources and why those sources are not available for this project.

All Other applicants: Provide a clear, focused and concise description of the project. Describe how the proposed project is likely to positively impact the Colorado JAG Board's Goal: To support implementation of sustainable programs or provide resources that prevent or reduce or address crime, delinquency, and recidivism, or improve outcomes for those affected by crime; using innovative, multidisciplinary, evidence-based, best, or promising practices. Clearly demonstrate that the proposed project will solve critical problems within a state or local agency, or agencies, and/or within a community. Show how the project provides a high probability of improving the functioning of a criminal justice agency, or agencies, and/or criminal justice systems either at the local or state level. Clearly describe the analyses made of other potential funding sources for this project, the specific efforts to utilize those funding sources and why those sources are not available for this project.

All: Describe your proposed strategy(ies) for addressing the problem stated in the problem statement section. You should clearly link your strategy to the specified problem description. This section should include the following:

- A description of each specific strategy or service model(s) you will be implementing including relevant research on program effectiveness.
- A discussion of the evidence that supports each strategy relative to the stated problem. Provide relevant research as appropriate.
- A discussion of your experience implementing each strategy and related success.
- A discussion of how you will implement the approach, including, as appropriate, ensuring fidelity to the selected program model.

- For each strategy indicate the number of clients served, types of services and cost per client if providing direct services.

Purpose Area: (Q20) Indicate the appropriate Purpose Area for this project to ensure that the project falls within the parameters identified. **Only one option can be chosen.** See pages 5-6 of instructions for purpose area descriptions.

Evidence-Based Research: (Q21) Select one of three choices below.

- NA- Research will not be conducted as a part of this project (also enter NA under text box below).
- Activities do not involve the collection of information identifiable to private persons (also enter NA under text box below)
- Activities involve the collection of information identifiable to private persons (complete text box below).

Describe the procedures that will be put in place to ensure administrative and physical security of identifiable data and to preserve anonymity of private persons to whom information relates, including how confidentiality will be observed. (Q22) (Limit 5000 characters)

Law Enforcement (LE) Specific Projects: (Q23) If yes, it is a LE project, complete the table provided. If no, enter zero in the first cell. Law Enforcement applicants must supply information regarding the total number of active officers currently on staff, the average # of officers deployed per shift, and if patrol vehicles are taken home by officers, the # of vehicles taken home by officers.

Direct Service Specific Projects: (Q24) Applicants who intend to provide direct services must project the number of clients (adults and/or juveniles) to be served using grant funds. Be advised that you will be expected to collect information for quarterly reporting purposes on the number of clients served by race/ethnicity as well as gender. Be realistic. You will be assessed quarterly on progress toward meeting the number you indicated you would be serving in this application.

Briefly explain the methodology for achieving the cost per client: (Q25) Direct service projects should establish an estimated cost per client, providing the methodology used to determine this estimate.

Geographic Area Where Grant Funds Will Be Utilized: (Q26-31) Mark statewide if services will be delivered across the state. Otherwise, list each US Congressional District, Colorado Judicial District, State Senate District, State House District, County, and City where services will be delivered. Separate each by a comma. This may include more areas than where the applicant agency is located.

Age of Target Population: (Q32) Check all that apply, for direct service projects.

Collaboration: (Q33) (Limit 3000 characters) Describe the involvement and mutual support within the community for this project or clearly articulate why this is a single agency project and not one that would/should be collaborative.

When appropriate, this section must elaborate on partners and relationships specifically with other agencies and organizations impacted by the proposed project. There must be evidence of a planning process that supports the proposal. JAG applications should be for projects that address priority needs that have been identified and agreed upon by a representative group in the

community. Groups, partnerships and agencies involved and/or impacted must be listed by name and the role that they will play in this collaboration. Project applications for funding have been denied by the JAG Board when key agencies or systems that will be impacted have not been included in the planning process.

Applicants are reminded to use, enhance, or expand upon already existing planning groups or to bring those groups together, rather than create a new entity. Representation and involvement in the planning process by members of the target population is crucial. The planning group membership must mirror the diversity of the population to be served.

Applicants need to describe any collaborative efforts/planning that have already occurred. Many communities have completed or are in the process of completing a criminal justice needs analysis and strategic plan. One example is the strategic planning associated with Juvenile Service Planning Committees. If your community has done so, it is important to show how this project factors into the larger criminal/juvenile justice planning that has occurred.

Your proposed project should be one piece of an overall planning process and the planning process must be appropriate to the proposed project. For example, a computer system upgrade for a sheriff's office would require different participants in the planning process than community-wide crime prevention that could involve law enforcement, schools, and many other agencies.

Future Funding of Project: (Q34) (Limit 2000 characters) Provide a realistic and concrete plan to reduce reliance on federal JAG funds. Give an example of your sustainability plan, maintenance plan, and/or your replacement policy.

CONTINUATION PROJECTS- Describe how the project/program is on track to complete current goals and objectives. Discuss how administrative and reporting requirements have been met timely. Discuss proposed project changes and how they are appropriate.

Project Accomplishments: (Q35) (Limit 2000 characters) Provide a brief synopsis of what this project accomplished with its previous grant award.

Project changes: (Q36) (Limit 5000 characters) Describe any significant project changes (programmatic or budgetary) in this proposal from the previously funded project.

A significant change could involve: serving a different number or type of clients; adding a new component such as training or type of service; or changing the focus of enforcement, prevention, intervention, or other efforts. In an effort to keep costs down and make the best use of JAG funds. Generally, the JAG Board does not approve significantly expanded projects after the first year of funding.

Evaluation of Past Progress: (Q37) (Limit 5000 characters) Summarize the extent to which each of the project's goals and/or objectives were met, with supporting data included. If a specific objective was not achieved, or only partially achieved, provide an explanation.

Explain the effectiveness and impact of the project to date and whether modifications are being made to the current goals, objectives and evaluation plan.

This section can highlight information contained in past quarterly reports. Projects applying for a third or more year of funding should provide a cumulative evaluation of past progress for the previous years of funding, emphasizing the impact made on the stated problem.

DCJ is also interested in information that is not/was not part of the original evaluation design. For instance, unintended results, lessons learned, and challenges overcome. This information is not often part of the formal reporting process, but is very valuable in designing and evaluating future

projects. It is also beneficial to share this information with other agencies.

Implementing Agency: (Q38) The Implementing agency is the agency that is responsible for the actual implementation of the project and may be the same as the applicant agency, a component of it, or another agency entirely. For example, the applicant agency is the county, but the sheriff's office is the implementing agency, or if the city is the applicant agency but a non-profit organization is the implementing agency. Provide the agency name if it is different from the applicant agency.

Implementing Agency Function: (Q39) Select the most appropriate agency function.

Primary Contact at Implementing Agency: (Q40-42) Provide contact information for a key person within the Implementing Agency that is most closely involved with the project.

Financial Officer Completing this Entry: (Q43) Provide the name

BUDGET SUMMARY TAB

After completing the Budget Details under the Tables Tab, return to this page and enter the final budget totals by line item.

TABLES TAB

(Goals & Objectives, Budget Details, Additional Funding)

GOALS & OBJECTIVES: These are the elements against which your project will be evaluated and which you will use to report quarterly and final progress. **In addition, funded applicants will be required to report quarterly on specific performance measures developed by the Bureau of Justice Assistance.**

Goals: Goals are logical, sensible, clearly written and directly tied to the project.

Write one or more goals you will focus on this project. Goals are broad statements (i.e., written in general terms) that convey a project's overall intent to change, reduce, or eliminate the problem described. For this application, the goal is not in and of itself measurable. Progress made relative to the goal should be reflected in data related to specified objectives and their related outcomes and measurement (see below).

Objectives: Objectives are logical, measurable, sensible, clearly written and directly tied to the project and are realistic and able to be accomplished in the time frames described.

Describe in words what your program will achieve in relation to each goal. The specified objectives under each goal should be logically related to that goal. Objectives may be *client-based* (number served; changes in knowledge, behavior; reduced system involvement), *environmental* (larger changes at the community level), *product-based* (development of a specific product), or *system improvement* (specific changes to system to improve functioning)

Each objective should be measurable. This should be reflected in the corresponding statements.

Outcomes: Outcomes are realistic and able to be accomplished in the time frames described. Outcomes identify the amount of intended change expressed as a rate, percent or whole number. Include measures that will sufficiently document any change that occurs.

Outcomes are the change or benefit the project is expecting to produce in the target population and can include specific items of data to be used to assess a projects status towards reaching its objectives.

Please write at least one measurable outcome(s) for each objective. Outcome statements should include:

- The specific type of change or improvement that will occur
- The number or percent of individuals impacted (where appropriate)
- The expected magnitude, on average, of the expected change
- If client based, include outcomes reflecting the number of clients to be served

Measurement is the description of what data will be collected to measure the change. Please describe the specific measurement tool(s) you will use to collect data for each outcome. If you do not have a tool please state TBD (To Be Determined).

Timeframe: The month in which the objective will be completed.

EXAMPLE 1:

Goal 1: Improve reentry outcomes for offenders with mental health and substance abuse disorders.			
Objective	Outcome	Measurement	Timeframe
1.1 To reduce recidivism resulting from technical violations among male offenders with mental health and substance abuse disorders	25% reduction of technical violations resulting in revocations	Technical violation rates of participants will be compared to a matched sample of parolees who did not receive project services.	Within offenders' first year in community
1.2 Decrease return to correctional custody of offenders for new charges	15% reduction in returns to correctional custody for a new charge	Returns to correctional custody for a new charge of participants will be compared to a matched sample of parolees who did not receive project services.	Within offenders' first year in community

Goal 2: Increase offenders' self-sufficiency.			
Objective	Outcome	Measurement	Timeframe
2.1 Maintain participant compliance with recommended medication and mental health/substance abuse treatment regimens.	80% compliance rate for completion	Compliance will be measured by the percent of unexcused absences from appointments/sessions out of the appointments/sessions scheduled and tracked by the XXXX Data System	Within offenders' first six months in community
2.2 Increase offender ability to be self-supporting through vocational efforts as appropriate	A. 85% enrollment in individualized vocation plan B. 80% continued involvement in vocational plan	Individualized vocation plans and involvement in the plans will be tracked and reported by case manager.	A. Within offenders' first four months in community B. Next six months in the community
2.3 Increase offender ability to be self-supporting through benefit acquisition as appropriate	A. 95% submission rate of benefits applications B. 95% follow-up rate on benefits denials	Benefits applications acquisition will be tracked and reported by case manager.	A. Within offenders' first month in community B. Within offenders' first six months in community

EXAMPLE 2:

Goal 1: Decrease domestic violence through successful prosecution of domestic violence cases.			
Objective	Outcome	Measurement	Timeframe
1.1 Enhance felony domestic violence prosecutions by providing motions and jury trial preparation assistance	Twenty to thirty cases will receive motions and/or jury trial preparation assistance over the life of the grant resulting in successful prosecution of cases.	Number of trial cases served as co-counsel Number of cases supported in trial presentation. Number of cases resolved with a guilty plea or finding.	Quarterly compilation of data.
1.2 Provide quarterly domestic violence training for attorneys and semi-annual training for District Attorney Investigators	Training participants will have increased knowledge in domestic violence dynamics, case investigation and prosecution techniques. Train 15 prosecutors	Pre and post training surveys of participants documenting level of knowledge on specific topic. Roster of the number and types of trainings provided. Number of participants trained.	Quarterly reporting on level of knowledge change on specific topics. Quarterly compilations of: types and numbers of training provided and number of persons trained.
1.3 Provide advanced legal guidance and pretrial assistance	Increase prosecution rate of DV cases by 10%	Number of successful prosecutions in previous year Number of successful prosecutions in grant funded year Data extracted from the CDAC database	End of grant period

Goal 2: A strong network of domestic violence service providers are available to support domestic violence victims in CCCC County.			
Objective	Outcome	Measurement	Timeframe
2.1 Develop at least two new partnerships with the community to address unmet needs of those subject to domestic violence.	Identification and filling of service gaps for domestic violence victims and their families.	Number of new partnerships developed to address the identified service gaps.	Quarterly compilation of data.
2.2 Foster networks with domestic violence resources in the community to increase collaboration of victim's options.	Increased community collaborations	Number of new collaborations with organizations and alliances addressing domestic violence. Number of cross disciplinary meetings attended and formal collaborations established	Quarterly compilation of data.
2.3 Develop and publish a comprehensive brochure for victims of family violence with detailed resource and referral information.	Development and distribution of a brochure.	Number of brochures developed and distributed in community and topics covered.	Quarterly compilation of data.

Project Evaluation: (Limit 5000 characters) Describe how the acquired data as described in the Goals & Objectives section will be collected and used and what individual(s)/groups will meet (and how often) to continually monitor the project, should necessary adjustments to maximize success be required.

Describe your approach for evaluating your project in response to your stated objectives, outcomes and measurement. In this section include at minimum, information about the following:

1. Using your identified measurement tools, explain your plan for collecting data on each specified outcome and managing the data once collected.
2. How will you analyze collected data and use the data to change/improve your program?
3. What is your approach to obtaining consent from participants and maintaining confidentiality (if client- or community-based outcomes)?
4. How will you confirm whether your project was successful in making progress toward achieving your goal?

BUDGET: These funds cannot be used to supplant (replace) dollars that would, in the absence of these federal funds, be made available for the proposed project; however, they may enhance or expand an existing program funded from other sources. If the request is to sustain a program that has lost previous funding through no fault of its own, the loss must be clearly documented.

Budget items should be detailed, reasonable, specifically defined, justified and the applicant should demonstrate how the costs were determined. No concerns of supplanting have been identified. Budget must be completed entirely and each item listed should be accompanied by a description, which provides justification for the budget items and details the basis for determining the cost of each item.

- The budget must cover the entire project duration.
- In figuring the budget, work with WHOLE DOLLAR AMOUNTS ONLY. When necessary, round to the next highest whole dollar amount.
- The budget is broken into seven Budget Categories: Personnel, Supplies and Operating, Travel, Equipment, Consultant/Professional Services, and Indirect Costs.

PERSONNEL:

This budget category should be used when employees are positions within the applicant agency and the implementing agency is a division (under the same unit of government) of the applicant agency.

The Personnel Budget should take into account overtime, time needed to acquire new staff, and changing demands for personnel during the course of the project.

If the implementing agency is contracted by the applicant agency (i.e., non-profit organization), these costs should be included in Consultant/Professional Services.

Questions regarding the difference between a contract employee and a regular employee may be directed to the Internal Revenue Service. Contract employees or independent contractors should be shown under Consultant/Professional Services.

Position Title and Name: Add each position by title and name of employee, if available; if two individuals have the same title, list it twice.

Annual Salary: Enter the annual, full-time salary or base pay for the position.

Annual Base Salary to be Paid by Grant: Enter the annual salary or base pay for the position to be paid by Grant funds.

% to be paid by Grant Funds: Enter the % of annual full time salary that will be paid for with grant funds.

Annual Fringe: Enter the amount of Fringe Benefits for that position in column 1 and the percentage of time to be devoted to the project by this position in column 2.

Annual Fringe to Be Paid by Grant: Enter the annual fringe for the position to be paid by Grant funds.

% to be paid by Grant Funds: Enter the % of annual fringe that will be paid for with grant funds.

Total Base Salary + Fringe: Enter the annual salary or base pay + fringe for the position.

Total Base Salary + Fringe to Be Paid by Grant: Enter the annual salary or base pay + fringe for the position that will be paid for with grant funds.

Budget Narrative and Justification: Explain how the salary and fringe benefit rates for this position were determined. An explanation and justification is required if the budget is not for an entry-level position. If the salary is expected to increase during the project year, indicate the percentage of the increase, the months covered by the increase, and justify it. Be sure that scheduled salary increase has been included in the Salary row, and that the proposed salary is one that is paid for equivalent positions and employee qualifications in your area.

Non Personnel: Budget and Budget Narrative Details:

Please Note: For all other Budget Categories (Supplies & Operating, Travel, Equipment, Consultant & Professional Services, and Indirect Costs) the following sample budget screen is the same. **Be sure to read the following definitions for each budget category before completing it.**

Item: Add each item

Budget Narrative and Justification: The applicant must provide a justification and explanation of the budget items listed in each Budget Category. Failure to justify and explain/show calculations could result in denial of funding.

Describe the criteria used to compute budget figures. All budget figures should be justified and explained. The budget narrative should show the relationship between budget figures and proposed project operations. For example, if this is a training project, explanation of the professional services budget category amount should include an explanation of the need for consultants to provide the training and the hourly cost of the services to be provided.

OAJJA recognizes that governments are constantly faced with the challenges of limited resources. It is important that you describe how maximizing resources will be accomplished and that this project is not duplicating services.

For continuation grants: Identify and justify all new budget items and increases in previously funded items in each budget category. For all applicants, if a budget item or an increase is not explained and justified, it will be subject to non-funding.

SUPPLIES AND OPERATING:

Add expendable or non-durable items within this category by major type [e.g., office supplies, **software (regardless of cost)**, training materials, research forms, telephone, tuition, postage, etc.] and show the basis for computation: “X” dollars per month for office supplies, “Y” dollars per person for training tuition, telephone-base charge plus long distance at “Z” dollars per month

- Includes tuition, registration, vehicle gas, leases, etc.
- Out-of-state training costs must be justified in terms of availability of comparable training in state.
- Large items should be listed and justified (e.g., unusual supply items, software, special printing, etc.)

NOTE: Tuition and registration fees (even if they include lodging and/or subsistence), vehicle gas, leases, and maintenance on project- or government-owned vehicles are operating expenses not travel. These types of costs must be shown in the Supplies and Operating category.

Items with a unit cost less than \$5,000 are considered supplies and should be listed in this category. Items costing \$5,000 or more should be listed under Equipment (see D below). If software is being purchased, regardless of the price, it belongs in the Supplies and Operating category. If custom development of software is contracted out, it is subject to prior approval by OAJJA and should be shown in the Professional Services Budget. All purchases should be made through competitive bid, state or local award, or established purchasing procedures.

Budget Narrative and Justification: Explain how the cost of each item was determined and justify the need for the item.

TRAVEL:

Add travel expenses for project personnel by purpose (e.g., to attend training sessions, to transport clients, etc.) and show basis for computation. Show airfare, ground transportation, automobile, lodging and meals individually. Indicate if the travel is in state or out-of-state.

- Out-of-state travel must be justified and tied to the project goals and objectives.

Where a jurisdiction has an established travel policy, those rates may be used. Otherwise, state travel rates are the maximum allowed. Allowable State travel rates are:

1. Mileage: \$.49 cents per mile for use of personal vehicle.
2. Lodging: In-state is actual cost of reasonable accommodations. However, lodging costs in excess of \$60.00 must have prior approval of the Project Director. Out-of-state costs should be government rates, and reasonable.
3. Meals: Exceptions to the following rates are available from the DCJ for higher cost metropolitan areas.

<u>Meal In-State</u>	
Breakfast	11.00
Lunch	12.00
Dinner	23.00
Total per diem	\$46.00

NOTE: Tuition and registration fees (even if they include lodging and/or subsistence), vehicle gas, leases, and maintenance on project- or government-owned vehicles are operating expenses ~ travel. These types of costs must be shown in the Supplies and Operating category.

Budget Narrative and Justification: Explain the relationship of each cost item to the project, (e.g., if training or conference travel expenses are requested, explain the topic of the conference and its relationship to the project, you must explain why this training cannot be achieved in state). Out-of-state travel is discouraged and needs to be thoroughly justified.

EQUIPMENT:

Add each item separately, by unit cost. This category should include all items with a unit cost of **\$5,000** or more and useful life of more than one year. Items not meeting these criteria should be included in the Supplies and Operating category. Equipment must be justified as necessary and not available currently.

If the proposed equipment is to be shared with entities outside this project, the cost should be prorated based upon the percentage of use of the equipment by this project.

DCJ must provide prior written approval for the actual purchase of all equipment, separate from approval to fund the project. All equipment must be purchased through competitive bid, state or local award, or established purchasing procedures.

Budget Narrative and Justification: Explain how the cost of each item was determined. Explain why the proposed equipment is essential to conducting the project and is not currently available for use within your agency or organization.

CONSULTANT & PROFESSIONAL SERVICES: *Application must contain a detailed budget and budget narrative for anything listed under Contracted, Consultant and Professional Services. List each consultant, contractor, or type of service with proposed fee (by eight-hour day or hourly rate). If the applicant agency is contracting with an outside agency to conduct the day-to-day operations of the project, the total cost should be in Consultant/Professional Services.

Rates (honoraria are not an allowable expense) for individual professional services must be based on an hourly rate (including preparation and travel time), and must have explicit, **separate** prior approval from DCJ. Rates for individual consultants cannot exceed \$650 per day or \$81.25 per hour. Justification is required to establish a “usual” or “going rate” for similar services. Some consultants provide services at a flat rate rather than an hourly rate. If that is the case, identify the service to be provided, including all covered expenses such as travel, and the rate for each “unit” of service. One example is polygraph exams that cost the same no matter where the polygrapher must travel to perform the exam. There are other federal regulations that pertain to some professional services/consultant rates. Contact DCJ if you have questions.

Professional services should be procured competitively. **Sole source contracts must be justified** and must have specific prior written approval from DCJ before execution of any contract, separate from approval to fund the project. Refer to the Administrative Guide for Federal Justice Grant Programs or contact DCJ for additional guidance. Consultants must be able to sign the Certification of Debarment, OJP Form 406 1/1 (see section J of the Certified Assurances for details).

Budget Narrative and Justification: Explain why proposed consultant services cannot or should not be provided by project staff. Explain how the hourly rate or flat rate was determined. For each consulting organization added, indicate the number of people to be assigned to the project, number of hours per person per day to be spent on the project, and a breakdown of the contract

price by major cost item (i.e., supplies, rent, equipment, travel, contracted services)

INDIRECT COSTS:

Indirect costs are costs of an organization that are not readily assignable to a particular project, but are necessary to the operation of the organization and the performance of the project. Examples of costs usually treated as indirect include those incurred for facility operation and maintenance, depreciation, and administrative salaries.

If applicant meets any of the two requirements below, they are eligible to request indirect costs at the approved rate.

- A governmental department or agency unit that receives more than \$35 million in direct Federal funding must submit its indirect cost rate proposal to its cognizant agency for indirect costs for approval.
- Other governmental department or agency (receiving less than \$35 million in direct Federal Funding) must develop an indirect cost proposal in accordance with the requirements of this Part (2 CFR 200) and maintain the proposal and related supporting documentation for audit. These governmental departments or agencies are not required to submit their proposals unless they are specifically requested to do so by the cognizant agency for indirect costs.

If the applicant has never received a federal negotiated indirect cost rate, and is not required to have a federal negotiated indirect cost rate, they are eligible to request the "**de minimis**" rate which is 10% of the Modified Total Direct Costs (MTDC).

When using this method, cost must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. Also, if this method is chosen then it must be used consistently for all Federal awards.

What is the Modified Total Direct Cost, or MTDC?

- This base includes all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and subawards up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award).
- MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs, and the portion of each subaward in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency (OJP).

ADDITIONAL PROJECT FUNDING

This question is to collect information about other sources of funding that will support this project. It does not include this JAG application funding.

If yes, complete the table that appears. Be as descriptive as possible allowing the JAG Board to understand the commitment from your organization or other agencies to this project.

Prior JAG Funding for this project: If this is a continuation grant, complete the table listing each grant year this project was funded with JAG monies (provide the grant number, the amount of federal funds awarded, the project title, purpose area and grant period).

DOCUMENTS TAB

Organizational Chart: Required if personnel is being requested. If your project has personnel in the budget category, you must attach your organizational chart in this section.

Priority Letter: Required if the Applicant Agency is submitting more than one application. Letter must include rank order and why the agency has ranked projects in that order.

Letters of Support: If you wish to submit letter(s) of support which speak to the collaborative relationship between your project and other agency(s)/organization(s), these can be submitted in ZOOMGRANTS under the Documents Tab. These are not mandatory.

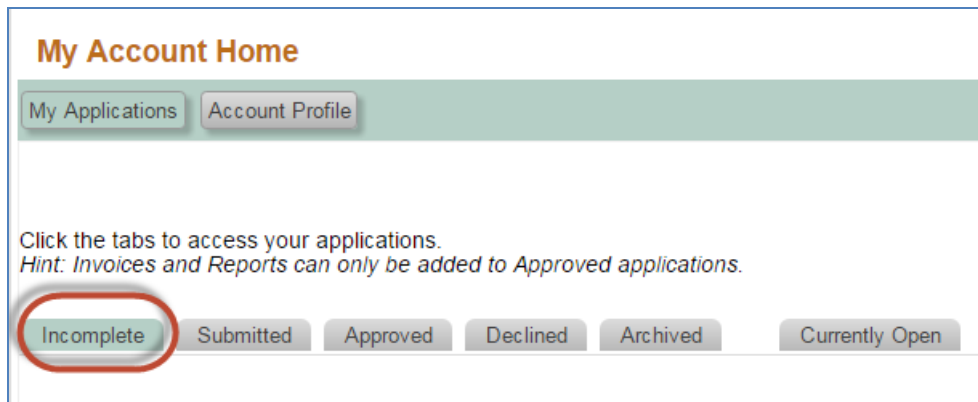
Audit/Financial Review: Most A133 audits are available online. If possible, please provide that link to DCJ or you can upload a copy of the Applicant Agency's most recent Audit under this Tab.

Financial Management Questionnaire: Required. All applicants are required to download this form, complete, save, and upload back into ZOOMGRANTS. It is the applicant's responsibility to verify the agency's ability to administer funds and comply with federal and state accountability requirements. The questions should be answered by the Applicant Agency with the assistance of the Financial Officer.

Justice Assistance Grant (JAG) FAQ's

1. How do I find my project application if I don't complete it all at the same time?

When you log into ZoomGrants (ZG), click on My Account Home. Any incomplete applications will appear under the Incomplete tab. If the application deadline has passed the incomplete applications will move the to the Archived tab.



2. How do I add another contact person to the Project Application?

See pages 14-15 of the *Navigating ZoomGrants and Setting up New ZoomGrants Accounts* instructions.

3. What do I do if I get the message that I exceeded the maximum length for a question?

If there is a character limit it will appear with each question. As you type a box indicates how many characters are remaining. There may be a slight discrepancy in character counts upon saving the answer. Carriage Returns count as **two (2) characters when SAVED**, but count as **one (1) characters when TYPING/EDITING**. The final characters count may be off by 1 character for each carriage return. You may need to shorten your answer if you initial answer uses the maximum character limit.

5. How do I submit more than one application for my agency?

A ZG account is linked to individual within an agency, and not the agency as a whole. If your agency has distinct and separate projects with different project directors each project director should have his/her own account. (Unless the agency decides to have a singular generic account owner that provides project director access to each application on a case by case basis).

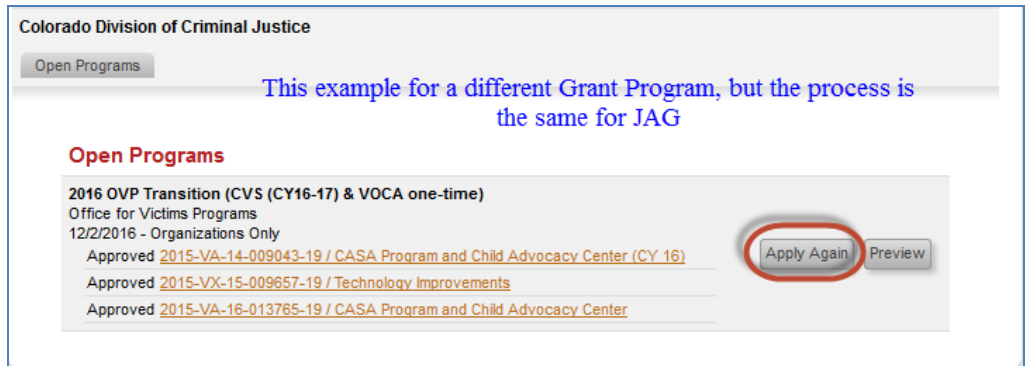
- a.If your agency has multiple ZG accounts, each account may submit one or more applications.
- b.If a single ZG account holder would like to submit more than one application, you may accomplish one of two ways:

1) Apply Again – creates a new blank application

a)Login using the following URL:

<https://zoomgrants.com/gprop.asp?donorid=2225&limited=1258>

b)Click Apply Again to create a new Application.



2) Duplicate Application – copies an application within the same Grant Program and allows you to edit it.

a)Under My Account Home find the application you want to duplicate (it will be under either the Incomplete or Submitted tab).

b)Click Duplicate and a copy of the application will open an allow you to edit.



6. We are applying for continuing funding, do we have to reduce our request by 10% although we are adding to our project?

Yes, you must reduce your request by 10% from last year's awarded amount, even if you are adding new program components.

7. Can we request more than one year of funding?

No. This is a one year grant and your budget must reflect a one year budget. Projects are eligible for a maximum of 48-months of funding. Funding beyond the first year will be determined based on performance of subgrantee, meeting reporting requirements and availability of funds.

8. We are a non-profit and will be partnering with a unit of government, does the Project Director need to be from the applicant agency (unit of government) or can our agency

designate a Project Director?

The Project Director must be from the applicant agency (unit of government). However, you can list your agency's Primary Contact in the Implementing Agency section of the application.

9. Do we need to include a breakdown budget for any contractors/vendors?

Yes. A line item budget must be included in the budget narrative under the consultant/professional services category. Suggested budget format is: list personnel, supplies and operating, travel, equipment, and contracted services or professional services. The budget should include only those items for which you are requesting JAG funding.

10. If a nonprofit is the primary actor in a project, will a full budget be necessary from the agency as has been the case in the past?

Yes. A line item budget for the JAG-funded work of that non-profit organization must be included in the budget narrative under the consultant/professional services category. Suggested budget format is: list personnel, supplies and operating, travel, equipment, and contracted services or professional services.

11. Our state agency, which will be the Applying Agency, has divisions across the State. The divisions will be submitting separate applications and accepting responsibility for each grant separately. Can we designate our own Project Director and Financial Officer from our Division?

Yes, for each project you can designate a separate Project Director/Financial Officer from each Division.

Each Division/Project Director may have a separate account and designate Project Officials within each individual Application.

12. Prior to application submission by the division, all applications must be reviewed and approved by our Authorizing Authority so that s/he has the opportunity to evaluate projects to determine if they are in keeping with our mission and goals and do not violate laws or regulations. Is that possible in the system?

Yes, you can "Print/Preview" the application prior to submission. This can be found on the top right corner of the individual application. You may save to PDF and/or print it.

13. If your Agency is within more than one Congressional District does ZOOMGRANTS allow you to enter them all?

The application will collect information regarding the Geographic Area(s) where grant funds will be utilized and is not linked to the physical address of the agency.

14. Under Equipment...if you are requesting equipment that is under \$5000 each but are requesting more than one, making your total over \$5000 will it be okay to enter under Equipment and not Supplies?

These are considered supplies and must be entered into the supplies and operating category. Equipment is considered an individual item costing \$5,000 or more.

15. Question -- do the character limits in the sections include the spaces between words?

Yes. Be advised, hitting Return also uses two (2) characters.

16. What is the average grant amount for the last/current funding cycle?

We recommend applicants request only what is truly needed for each project rather than what has been funded in the past.

17. On professional services – can that be for the cost of the accountant that oversees our grant financial piece?

All funds that are being requested for administrative functions, which can include accountant services, must be requested under the "Other" Line Item of the budget and clearly identified as administrative costs.

18. Can the applicant agency be a City or County or must be the City or County's law enforcement department?

In ZoomGrants, the City or County is considered the Legal Entity. The Police Department or Sheriff's Office would be the Applicant Agency (applying agency). The DBA status should be set to **Yes**.

19. What are the character limits for each section?

Pre-Application/Organization Details and tab ***Questions / Statement of Work*** tab

Short Answers:

Single Line- 250 characters

Multiple Choice- only one answer is allowed

Checkboxes- one or more answer is allowed

Table Format- 10 characters each

Long Answers:

Each long answer question will indicate the character limit associated with each question.

Tables (G&O, Budget Details, Additional Funding) tab

Large text boxes: 6500 characters

Medium text boxes: 25 characters

Small text boxes: 10 characters

NOTE: carriage returns counts at two (2) characters.

20. Are food and beverages allowable expenses?

The DCJ has been advised that providing food and beverages for conferences, meetings, and trainings that are not a direct service of a program are prohibited. If you are interested in providing food and beverages for direct service recipients (children, youth and families), this requires an expressed pre-approval from the federal Office of Justice Programs (OJP) and there are no guarantees that this will be approved. DCJ suggests that if the need is critical to a direct service program, you try to secure other sources of funding to cover these expenses. If absolutely impossible, and you are approved for grant funding by this Office, we will work with you to seek the food and beverage approval necessary from the federal government, but again this approval is not determined by DCJ and these expenses could be disallowed by OJP.

21. We have a DUNS number but have not registered with SAM, will this stop us from submitting an application?

Yes. Please contact DCJ if you are currently registering with SAM, but have not yet completed the process.

22. The following questions and answers are for projects that are applying for multiple applications with multiple applicant profiles

Q: Can a user be under more than one Applicant Agency?

A: Yes, each individual user will have their own ZG account linked to his/her email address. The Project Director/main account holder creating the application may add "Collaborators" to an application on an application by application basis. Collaborators do not need to be from the same agency.

Q: Could you please clarify what you meant by the applicant not applying to units of local government? Would the City and County of Denver be one applicant and the Denver Police Department be a separate applicant?

A: In some instances, the City and County of Denver is the Legal Entity Name as specified in the ***Pre-Application / Organizational Details*** tab. In this case, the Denver Police Department would be the Applicant Agency. However, it is also possible the City and County of Denver could be an Applicant Agency (agency applying for the funds) and could have separate and distinct Applicant records. Contact Kyle McDonald for further instruction.

Q: I apply for grants on behalf of more than one agency. Does this work like Grants.gov where I need different user accounts under each agency?

A: No, you will create your **ZG account** once and then the Project Director/account owner associated with each individual application may add you as a **Collaborator** to work on the project.

Q: If we are a subcontractor to a city grant, then do we need a ZG account?

A: No, you do not need a ZG account for JAG. If you are hired to work on a project awarded to the city and are not an employee of the Applicant Agency, you are considered a consultant or contractor.

Q: Can you clarify how multiple users are set up to apply for a single grant?

A: See page 4 of the ***Navigating ZoomGrants and Setting up New ZoomGrants Accounts*** instructions.

23. How do I update my SAM end date on my new application?

Using data released by the federal government, ZoomGrants completes a SAM verification (via each applicant's DUNS number) and presents the results for each applicant in the Application Summary tab of their applications.

The federal government releases this data every month, and SAM checks are completed once an applicant submits their application and are automatically updated monthly, following the release of the new data.

The SAM verification will only appear in the Application Summary tab on an application if the applicant has entered a valid DUNS number

APPENDIX A

Executive Order 13279, Executive Order 13559, and the Department of Justice's (DOJ) regulations on the Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, prohibit recipients from using DOJ financial assistance on inherently (or explicitly) religious activities and from discriminating in the delivery of services on the basis of religion. The following are some frequently asked questions addressing whether twelve-step recovery programs are considered inherently religious activities and the conditions under which recipients may offer such programs in compliance with applicable civil rights laws.

Frequently Asked Questions Regarding Twelve-Step Recovery Programs for Recipients of Justice Department Financial Assistance

What are “twelve-step” recovery programs?

Traditional twelve-step programs outline a course of action for recovering from an addiction whereby participants proceed through twelve core developmental stages. Twelve-step programs are a form of self-help in which members of a fellowship struggling with the same problem support each other.

The twelve-step program originated with Alcoholics Anonymous (AA) (<http://aa.org>). According to AA, the twelve steps are as follows: “(1) We admitted we were powerless over alcohol—that our lives had become unmanageable. (2) Came to believe that a Power greater than ourselves could restore us to sanity. (3) Made a decision to turn our will and our lives over to the care of God as we understood Him. (4) Made a searching and fearless moral inventory of ourselves. (5) Admitted to God, to ourselves, and to another human being the exact nature of our wrongs. (6) Were entirely ready to have God remove all these defects of character. (7) Humbly asked Him to remove our shortcomings. (8) Made a list of all persons we had harmed, and became willing to make amends to them all. (9) Made direct amends to such people wherever possible, except when to do so would injure them or others. (10) Continued to take personal inventory and when we were wrong promptly admitted it. (11) Sought through prayer and meditation to improve our conscious contact with God, as we understood Him, praying only for knowledge of His will for us and the power to carry that out. (12) Having had a spiritual awakening as the result of these Steps, we tried to carry this message to alcoholics, and to practice these principles in all our affairs.”

There are other twelve-step programs that deal with addictions other than alcohol. Some of the best known are Narcotics Anonymous (NA) (<http://www.na.org>), Gamblers Anonymous (GA), Overeaters Anonymous (OA), and Clutterers Anonymous (CLA). There are also a number of twelve-step programs that address compulsive sexual behavior.

The format of twelve-step meetings may vary, but most include a discussion of one of the twelve steps, the sharing of personal stories of recovery, reading from twelve-step literature, and prayer. Twelve-step programs also include sponsorship, linking a mentor who has had success in recovery with a person who is at the beginning stages of recovery.

How do the DOJ’s regulations, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, affect a recipient’s use of DOJ funding?

In 2002, President George W. Bush issued Executive Order 13279, and in 2004, the DOJ issued the regulations, Equal Treatment for Faith-Based Organizations (Equal Treatment Regulations), 28 C.F.R. pt. 38. In 2010, President Barack H. Obama issued Executive Order 13559 on federal funding of faith-based organizations. The Executive Orders and the Equal Treatment Regulations

prohibit recipients from using DOJ financial assistance to engage in inherently (or explicitly) religious activities, such as proselytizing, scripture study, or worship. Faith-based recipients may, of course, engage in inherently religious activities; however, these activities must be separate in time or location from the program supported with DOJ financial assistance and participation in these programs must be voluntary. Recipients must not compel beneficiaries of the DOJ-funded program to participate in inherently religious activities, and they must not discriminate in the delivery of services or benefits on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to participate in a religious practice.

Is a twelve-step recovery program such as AA or NA an inherently religious activity?

Yes. Courts have analyzed this question in reference to the Establishment Clause of the First Amendment to the United States Constitution. The Establishment Clause prohibits the government from making any law “respecting an establishment of religion.” This clause not only forbids the government from establishing an official religion, but it also prohibits government actions that favor one religion over another or from preferring religion over non-religion. Courts have repeatedly found that traditional twelve-step programs contain religious content and are religious activities. In reaching this determination, courts have relied upon several factors, such as the fact that the twelve steps are based on the monotheistic idea of a single God or Supreme Being, which is rooted in the religious concept of a Higher Power. It is important to keep in mind that a program or activity does not need to be a traditional form of religious worship to be a religious activity; a program can have a secular purpose such as providing drug or alcohol treatment but its programming may contain religious content.

Does this mean that direct and sub-recipients of DOJ financial assistance cannot include twelve-step recovery programs in any of the services that they provide?

No. Recipients must carefully structure their programs and activities, however, to ensure that DOJ financial assistance is not being used for literature, classes, meetings, counseling sessions, or other activities that support twelve-step programs. Moreover, recipients must ensure that twelve-step programs take place at a separate time or location from the activities supported with DOJ financial assistance and that the participation of beneficiaries in twelve-step programs is strictly voluntary. DOJ-funded organizations that operate substance-abuse treatment programs must make clear to both grant-making agencies and beneficiaries that twelve-step programming is separate and distinct from DOJ-funded activities. Recipients must also ensure that they do not compel beneficiaries of DOJ-funded programs to participate in twelve-step programs. They cannot penalize a beneficiary who chooses not to participate in a twelve-step program.

Can a recipient use DOJ financial assistance to purchase or develop literature or other materials that promote the twelve-step model of recovery?

No. This is a clear example of using DOJ financial assistance to engage in a religious activity.

If a recipient uses DOJ funds to subsidize in whole or in part the salary and benefits of one or more staff positions, how can the recipient ensure that this does not result in supporting a twelve-step recovery program?

Recipients must ensure that staff members fully funded by DOJ are not involved with twelve-step programs whereby they are instructing or indoctrinating clients on the twelve steps. For example, DOJ-funded staff members cannot supervise or lead twelve-step meetings or courses; they cannot counsel or treat clients based on the twelve-step model; and they cannot read to clients from literature expounding twelve-step programs.

For staff positions subsidized both with DOJ financial assistance and private funds, recipients must

ensure that DOJ financial assistance is not subsidizing any portion of staff members' time spent on twelve-step programs. Staff members shall clearly document the number of hours spent on secular activities associated with the DOJ-funded program and ensure that time spent on twelve-step programs is completely separate from time spent on permissible secular activities.

If rental or construction costs are allowable under the terms of a grant award, may a recipient use DOJ funds to rent, lease, construct, or renovate a facility where a twelve-step program will take place?

Yes, as long as the recipient only uses DOJ funds to subsidize the costs attributable to permissible secular activities occurring within the facility and uses private funds to subsidize the costs attributable to the twelve-step program. Where a recipient expends DOJ funds on the rental, lease, construction, or renovation of a facility that will be used for both secular activities permissible under the grant award and a twelve-step program, the recipient shall determine the portion of time that the facility will be used to conduct permissible secular activities and must prorate the costs of the rental, lease, construction, or renovation of the facility to ensure that the amount of DOJ funding does not exceed the portion or percentage of costs attributable to the permissible secular activities. For example, if a recipient uses a facility for permissible secular activities approximately eighty percent of the time and uses the facility for a twelve-step program approximately twenty percent of the time, the amount of DOJ funding expended on the rental, lease, construction, or renovation of the facility cannot exceed eighty percent of the total costs.

How can a recipient ensure that a twelve-step recovery program is conducted separately in time or location from DOJ-funded activities?

Twelve-step meetings, courses, or counseling sessions held in the community, outside of a recipient's facilities, are sufficiently separate in location from DOJ-funded activities so as not to raise a question about the recipient's sponsorship of the program. If a twelve-step program takes place in a recipient's facilities, it may still satisfy the requirement of being separate in location from DOJ-funded activities, if it takes place in a different room or floor from where the DOJ-funded activities occur. Twelve-step programs may also take place in a recipient's facilities if they take place at a different time from the DOJ-funded program. For example, the twelve-step program could take place either before or after the DOJ-funded program; however, the recipient must make clear that the twelve-step program is not part of the DOJ-funded program.

Once a recipient ensures that it is not using DOJ financial assistance to support a twelve-step recovery program and the program is being held separately in time or location from DOJ-funded activities, how can a recipient ensure that participation in a twelve-step program is voluntary for beneficiaries of the DOJ-funded activities?

Recipients of DOJ financial assistance must ensure that they are not mandating beneficiaries of the DOJ-funded programs to participate in any twelve-step programming. While it is permissible to require a beneficiary to participate in substance abuse treatment, recipients cannot only offer twelve-step programs; recipients must offer at least one alternative treatment program that is secular in nature. Recipients should also be careful that they are not coercing beneficiaries to participate in twelve-step programs by making DOJ-funded services or benefits contingent upon participating in the twelve-step program, or otherwise leveraging DOJ-funded services to influence an individual's decision to participate in a twelve-step program. When assessing whether such decisions by program beneficiaries are voluntary, funding recipients should be mindful that beneficiaries of substance abuse services may be particularly susceptible to pressure or persuasion to engage in activities.

What are some examples of alternative treatment or recovery programs that are secular in nature?

In addition to one-on-one and group counseling sessions that have no religious content, some examples of secular treatment programs include SMART Recovery (<http://smartrecovery.org/>), Rational Recovery (<http://rational.org/>), Secular Organizations for Sobriety/Save Our Selves (<http://cfiwest.org/sos>), and LifeRing (<http://lifering.org>). The DOJ provides this partial list of alternative programs solely as information without endorsing any program or commenting on its efficacy.

What is the responsibility of a State Administering Agency if it discovers that a recipient, subrecipient, or contractor receiving DOJ financial assistance includes a twelve-step program in its services?

If a State Administering Agency has any questions regarding whether a subrecipient's or contractor's inclusion of a twelve-step program in its services and activities complies with the Equal Treatment Regulations, the State Administering Agency may contact the Office for Civil Rights at (202) 307-0690 or via email at askOCR@ojp.usdoj.gov.

Whom should I contact if I have questions about how the Equal Treatment Regulations relate to twelve-step recovery programs?

The Office for Civil Rights is available to provide guidance on how the Equal Treatment Regulations relate to twelve-step recovery programs. For technical assistance, please call the Office for Civil Rights' main line at (202) 307-0690.

Resources

- *Miner v. Goord*, No. 09-0674-cv, 2009 WL 4072085 (2d Cir. Nov. 25, 2009) (holding that the twelve steps of AA are religious in nature).
- *Inouye v. Kemna*, 504 F.3d 705 (9th Cir. 2007) (holding that AA has substantial religious components and that compelling individuals to participate in AA violates the Establishment Clause).
- *Cox v. Miller*, 296 F.3d 89 (2d Cir. 2002) (finding that AA's activities must be treated as religious for purposes of the Establishment Clause).
- *DeStafano v. Emergency Hous. Group, Inc.*, 247 F.3d 397 (2d Cir. 2001) (finding that the AA program is a religion for Establishment Clause purposes).
- *Warner v. Orange County Dep't of Prob.*, 115 F.3d 1068 (2d Cir. 1997) (concluding that the AA program has substantial religious components and AA meetings are intensely religious events).
- *Kerr v. Farrey*, 95 F.3d 472 (7th Cir. 1996) (holding that the twelve-steps underlying AA programs are based on the monotheistic idea of a single God or Supreme Being, or, in other words, a religious concept of a Higher Power).
- *Care Net Pregnancy Ctr. of Windham County v. U.S. Dep't of Agric.*, No. 11-2082 (RBW), 2012 WL 4801777 (D.D.C. Oct. 10, 2012) (upholding a hearing officer's determination that a faith-based applicant for U.S. Department of Agriculture (USDA) funding would violate the USDA's regulations, Equal Opportunity for Religious Organizations, 7 C.F.R. § 16.3, where it intended to use USDA financial assistance to fund the complete acquisition cost of a facility to be used for both secular and religious activities).
- *Hazle v. Crofoot*, No. 2:08-cv-00295-GEB-KJM, 2010 WL 1407966 (E.D. Cal. Apr. 7, 2010) (concluding that a twelve-step recovery program based on the principles of AA and NA contained religious components).
- *Freedom from Religion Found., Inc. v. McCallum*, 179 F.Supp.2d 950 (W.D. Wis.

2002) (concluding that while AA is not a traditional form of religious worship the content of AA is religious in nature, and finding that an agency's ability to estimate how much time counselors spend on religious versus non-religious matters does not mean that it is possible to make a clear distinction between the two roles that counselors play).

- Warburton v. Underwood, 2 F.Supp.2d 306 (W.D.N.Y. 1998) (finding that the emphasis placed on God, spirituality, and faith in a Higher Power by twelve-step programs such as AA and NA supports a determination that the programs are religious).
- Exec. Order No. 13559, 75 Fed. Reg. 71319 (Nov. 17, 2010), available at <http://www.gpo.gov/fdsys/pkg/FR-2010-11-22/pdf/2010-29579.pdf>.
- Exec. Order No. 13279, 67 Fed. Reg. 77141 (Dec. 12, 2002), available at <http://www.gpo.gov/fdsys/pkg/FR-2002-12-16/pdf/02-31831.pdf>.
- U.S. Department of Justice, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, available at <http://www.gpo.gov/fdsys/pkg/CFR-2000-title28-vol1/content-detail.html>.
- Substance Abuse and Mental Health Services Administration, An Introduction to Mutual Support Groups for Alcohol and Drug Abuse, 5 Substance Abuse in Brief Fact Sheet (Spring 2008), available at http://kap.samhsa.gov/products/brochures/pdfs/saib_spring08_v5i1.pdf.

3. JAG Controlled Expenditures Justification Template

This template is based on recommendations pursuant to Executive Order 13688 on Federal Support for Local Law Enforcement Equipment Acquisition. To utilize JAG funds to support a project and/or purchase an item listed within the “Controlled Expenditures” table above, applicants/grantees must attach a letter on their agency’s letterhead, addressed to the BJA Director. The letter can be included as an attachment to an application pre-award or a Program Office Approval Grant Adjustment Notice (GAN) post-award. **This letter must fully address all 11 elements listed below and applicants/grantees may not obligate and/or expend any JAG funds until prior written approval has been granted by BJA to do so.**

1. A general description of the requesting agency;
2. A detailed justification for supporting the controlled project and/or acquiring the controlled items, including a clear and persuasive explanation of the need for and appropriate criminal justice purpose that it will serve. (If applicable, please describe any previous instance in which the controlled item was used in a manner that deviated from the detailed justification supporting the application for that equipment.);
3. The number of units of the requested controlled item(s) that are currently in your agency’s inventory;
4. Categories of other controlled equipment acquired through Federal programs during the past three (3) years that the requesting agency currently has in its inventory;
5. Whether the requested controlled equipment currently could reasonably be accessed through loans or mutual assistance or mutual aid agreements;
6. Certification (written assurance) that the requesting agency has adopted required protocols (see Recommendation 2.1: Agencies that acquire controlled equipment through Federal programs must adopt robust and specific written policies and protocols governing General Policing Standards and Specific Controlled Equipment Standards.) or will adopt those protocols before physical acquisition or purchase of controlled equipment or transfer of funds;
7. Certification (written assurance) that the requesting agency has provided required training (see Recommendation 2.2: Agencies that acquire controlled equipment through Federal programs must ensure that its personnel are appropriately trained and that training meets the specified requirements.) or will provide that training before physical acquisition or purchase of controlled equipment or transfer of funds;
8. Evidence of civilian governing body’s review and approval or concurrence of the requesting agency’s acquisition of the requested controlled equipment;
9. Whether the requesting agency has applied, or has a pending application(s), for this type of controlled equipment from another Federal agency during the current fiscal year;
10. Whether any prior application for controlled equipment has been denied by a Federal agency during the past three (3) years, and, if so, the reason for the denial; and
11. Whether the requesting agency has been found to be in violation of a Federal civil rights statute or programmatic term during the past three (3) years and, if so, whether any disposition was reached or corrective actions were taken. LEAs must disclose any finding by a Federal court or a Federal government agency, including an agency’s Office of Civil Rights or the Civil Rights Division of the U.S. Department of Justice, that the LEA has violated a Federal civil rights law with respect to their policing functions. LEAs must also disclose any admissions of liability they have made regarding violations of Federal civil rights law in their policing functions.