

DARYL FOX: Good afternoon everyone and welcome to today's webinar, "Matthew Shepard and James Byrd, Jr. Hate Crimes Program," hosted by the Bureau of Justice Assistance. At this time, I'd like to introduce today's presenter, Sunny Schnitzer, Policy Advisor with the Bureau of Justice Assistance to begin the presentation. Sunny?

SUNNY SCHNITZER: Thank you so much. And good afternoon, everyone. Thank you all so much for joining this program funding webinar. My name is Sunny Schnitzer and I'm a Policy Advisor with the Bureau of Justice Assistance on the Courts, Communities and Strategic Partnership team. Before we jump into today's webinar, I'll spend a few quick minutes sharing an overview of the Office of Justice Programs and the Bureau of Justice Assistance.

The Office of Justice Programs is a federal agency that provides leadership, grants, training and technical assistance and other resources to improve the nation's capacity to prevent and reduce crime to assist victims and enhance the rule of law by strengthening criminal and juvenile justice system. Its six program offices support state and local crime fighting efforts from thousands of victims service programs, help communities manage sex offenders, address the needs of youth in the system and children in danger, and provide vital research and data. Those offices include the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, the Office for Victims of Crime, the Office of Sex Offender Sentencing, Monitoring, Apprehending and Registering and Tracking. OJP also works closely with the two other grant-making components of the Department of Justice, the Community Oriented Policing Services Office, and the Office on Violence Against Women.

BJA specifically was created in 1984 to reduce violent crime, create safer communities, and reform our nation's criminal justice system. BJA strengthens the nation's criminal justice system and helps America's state, local, and tribal jurisdictions reduce and prevent crime, reduce recidivism, promote a fair and safe criminal justice system. BJA focuses its programmatic and policy efforts on providing a wide range of resources, including training and technical assistance to law enforcement, to courts, corrections, treatment, reentry, justice information sharing, and community-based partners to address chronic and emerging criminal justice challenges nationwide.

One of the ways that BJA supports the field is by keeping track of emerging issues. As many of you know, there's been a precipitous increase in violent hate crimes committed in the U.S. over the past several years. In response to this increase in hate crimes, BJA is seeking applications that employ a comprehensive approach to prevent and address hate crime, including outreach and education of the public and victims, education of law enforcement and prosecution staff and partners, and responses to hate incidents and

crimes. Further, the program supports the investigation and prosecution of these hate crimes.

Hate crimes can be more violent and involve greater victim injury as compared to other victimizations yet they're substantially under reported. Victim reluctance to contact law enforcement may arise from perceptions of police bias, distrust of law enforcement or the criminal justice system, or barriers such as language or concerns about immigration status. As law enforcement agencies use data to inform their strategies and allocation of resources, this can pose a unique challenge in addressing hate crimes. This underreporting and identification of hate crimes can also grow out of a lack of training and understanding on the part of law enforcement and prosecutors, resulting in their inability to identify, report, or charge these crimes and effectively investigate and prosecute them. Hate crimes have a devastating effects beyond the harm inflicted on any one victims. They reverberate through families, communities, and the entire nation, as others fear that they too will be threatened, attacked or forced from their homes because of what they look like, who they are, where they worship, who they love, or whether they have a disability. Like other crimes, the vast majority of hate crimes in the United States are investigated under state law and prosecuted by local, state, and tribal authorities.

Now before we jump into the content that will be requesting as a part of these applications, I do want to take just a few minutes today to discuss the two men for which this program is named, Matthew Shepard and James Byrd, Jr.

Matthew Shepard was robbed, tortured, tied to a fence along a country road, and left to die by two men, who offered him a ride home from a local bar. The investigation into Matthew Shepard's death found strong evidence that his attackers targeted him because he was gay. That same year, James Byrd, Jr., a 49-year-old African-American man living in Jasper, Texas, accepted a ride home from three men. They drove him to the remote edge of town, where they beat him severely, tied him by the ankles to the back of a pickup truck, and dragged him to his death. The three men responsible for his killing were well-known white supremacists. The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act was signed into law by President Barack Obama in 2009. The Shepherd-Byrd Hate Crimes Prevention Act enables the Justice Department to prosecute crimes motivated by race, color, religion, and national origin without having to show that the victim was engaged in federally protected activity. The act also empowers the Department to prosecute hate crimes committed because of a person's sexual orientation, gender or gender identity, or disability. On the five-year anniversary of the signing of the Shepard-Byrd Hate Crimes Act, Mrs. Shepard, Matthew's mother said, "On the long road to passing this law, Dennis and I always kept in mind the true purpose, which was not only to see that justice is done for hate crimes victims and their loved ones, but more importantly, to

educate the public about the sheer size of this problem, and the community about the exact ways it can protect them."

The Bureau of Justice Assistance is administering this program, named in memory of Shepard and Byrd. The Act authorizes this grant program to improve the investigations and prosecution of hate crimes at the state, local, and tribal level. Specifically, this program is designed to build strong collaborations between law enforcement and prosecutors and community-based organizations. This could include schools, colleges and universities, and other community-based partners to conduct outreach and to do education for individuals and groups at risk for experiencing hate crimes.

The program is also designed to help develop those comprehensive approaches that expand and enhance strategies. So, it supports tools, policies, procedures, any resources that increase the reporting and identification and charging of hate crimes, including victim reporting. It enhances the capacity of law enforcement and prosecutors to prevent and address hate crimes through education, training, and tools for the field to investigate and prosecute these crimes. And it encourages and enhances collaboration between federal, state, local, and tribal law enforcement and prosecution agencies in their investigations and prosecutions of hate crimes.

As a quick reminder, the Matthew Shepard and James Byrd, Jr. Hate Crimes Program Solicitation was released on April 1st of 2022. And the Grants.gov deadline for this particular application is May 27th. The JustGrants deadline for the full application is going to be on June 1st of this year. One thing I do want to highlight, unlike in years past when that deadline for the JustGrants full application had been at 11:59, this year, it is going to be at 8:59 p.m. Eastern Time. So that is a change from previous years.

So, as we've discussed, the Matthew Shepard and James Byrd, Jr. Hate Crimes Program supports efforts made by state, local, and tribal law enforcement and prosecution agencies and their partners in conducting outreach, educating practitioners and the public, enhancing victim reporting tools, and investigating and prosecuting hate crimes committed on the basis of a victim's perceived or actual race, color, religion, national origin, sexual orientation, gender, gender identity or disability.

The following entities are eligible to apply for this program: state, local, and tribal law enforcement and prosecution agencies. And we have some additional information on the screen about what qualifies for that. And then applicants are also encouraged to partner with other agencies, whether it's nonprofits or as I mentioned earlier, other institutions of education, other partners to support specific things, such as outreach, education, investigation, and prosecution of hate crime.

And for this solicitation, BJA expects to make approximately 22 awards. The estimated award amount is \$400,000. Very important to note here, that for this program, the performance period is expected to be 48 months and each budget year included in applications should not exceed \$100,000 per year in the performance period. The total amount anticipated to be awarded is \$8.7 million and the anticipated start date for these programs will be October 1st of this year.

Allowable costs under this program include staffing, outreach and education, resources to support reporting and identification of hate crimes, and case preparation, investigations, and prosecution activities. There's not a match requirement for this solicitation.

One quick note that I do want to mention is that I've been using the term 'reporting' somewhat interchangeably. There are two important topics that are both covered under this umbrella of the solicitation related to reporting. The first is the programs can support activities aimed at increasing victim reporting to law enforcement. The second is that the program can be used to assist law enforcement agencies in identifying and reporting out data on the number of hate crimes that have been reported to them that includes both to the public and through the National Incident-Based Reporting System or NIBRS.

So, the application, as it's submitted should include the SF-424 or the Application for Federal Assistance, a Program Abstract, a Program Narrative, a Budget Detail Worksheet and Narrative, an Indirect Cost Rate Agreement, Tribal Authorizing Resolution, and a few other forms like that if applicable. Certainly a Disclosure of Lobbying Activities and a few additional attachments listed on the next slide.

So those additional attachments will include a Time and Task Plan, Resumes and Job Descriptions of Key Staff, and Disclosure of Proposed Subrecipients. So those will be your partner organizations. It will also include Applicant Disclosure of Pending Applications for similar activities, Research and Independence Integrity form, and a Request and Justification of Employee Compensation Waiver, again, if applicable.

So as I mentioned, each proposal will be required to include a Proposal Abstract that should be no longer than 400 words, summarizing the proposed project, including the purpose of the project, the primary activities, the expected outcomes, the service area, the intended beneficiaries, and the subrecipients if known, and it should be included in the JustGrants web-based form. You'll need to include the applicant name, the performance period, the total funds requested, and key partners. I would also flag that the Proposal Abstract should clearly identify whether the proposed project focuses primarily on

education and outreach, enhancing victim reporting tools, investigation of hate crimes or prosecution of hate crimes, or some combination thereof.

The Proposal Narrative should not be longer than 20 pages long, double-spaced with one-inch margins. The following sections must be included as a part of the Proposal Narrative: the Description of the Issue, which is scored at twenty-five percent, should describe the proposed project jurisdiction. It should describe the history, nature, and extent of hate crimes in this area, and should include information on the overall demographic data of the residents of the jurisdiction. It should provide a summary of information on data and hate crime incidents and trends of any groups particularly impacted by them. One quick thing that I will mention here, while we do put an emphasis in the solicitation on using data to clearly identify the challenges and the scope of this issue, we recognize that there are several agencies for whom collecting data is still very challenging. Again, be that a collection of challenges, whether it's victim reluctance to report to law enforcement or challenges with technology and being able to report out either through NIBRS or in internal systems—any crimes that would be categorized as hate crimes. Certainly, if those challenges face any applicants, those should be clearly described in this section.

Next up is the Program Design, which is scored at 30 percent. Applicants should describe how they'll respond to the issue defined in the previous section. They should describe strategies to conduct outreach or education. They should take this section to really describe those community-based partnerships. To describe any partnerships that will be created or enhanced through the proposed project. They should clearly define and describe the strategies to enhance reporting of hate crimes, including education or other efforts to assist staff and partners. They should describe any training or collaboration with federal or other agencies and should describe how funding would support investigations and prosecution activities and how these would be an extraordinary expense.

One important note, anyone who is interested in applying for this solicitation will see the BJA is adopting several priority considerations for applications. For those applicants who are seeking priority consideration for priority 1A, that should be described in this section. And so it should address in this section how the proposed project will address issues related to racial equity and the removal of barriers to access an opportunity and/or contribute to greater access to services for communities that have been historically marginalized, underserved, and adversely affected by an inequality.

The Capabilities and Competency section of the application is also scored at 30 percent. This should describe the applicant's management structure, identify key partners and staff, should describe how the applicant and partners will implement the program. It should discuss any previous collaboration that will be enhanced upon and should describe how

effective communication between parties and coordination will be executed through the duration of the program.

Finally importantly, if the applicant is seeking priority consideration for 1B, it should describe within this section helping a culturally specific organization or funding a culturally specific subrecipient organization at a minimum of 30 percent of the project's budget will enhance its ability to implement the proposed project and should also specify which culturally specific populations are intended or expected to be served or to have their needs addressed under the proposed project.

Finally, the Proposal Narrative should include a plan for collecting data. This will be scored at five percent. For each objective listed in the solicitation, applicants should identify criteria that will determine how this will be successfully met. I also want to flag in the solicitation, there is a link to some example pieces of data that BJA may expect to collect from applicants. These include partnerships, trainings, summaries of activities conducted under the grant, identifying whether new policies or departmental units have been created as a part of the program. It will also follow those— kind of partnerships whether liaisons have been established under this program and will certainly track the numbers and types and information around in public meetings or educational forums or trainings for folks under this program..

Also required in each proposal is the Budget and Budget Narrative. They should be itemized for each year of the grant. As I mentioned earlier, budgets may not exceed \$100,000 per year during the performance period of the grant. As I mentioned at the top of the call, preventing and addressing hate crimes is a top priority for the Department of Justice. For more information about resources at BJA, you may visit the website for the Matthew Shepard and James Byrd, Jr. Hate Crimes Program. You can also visit the hate crimes websites hosted by the FBI and the Department of Justice. Those are listed on the slides and will be pasted into the chat function of this webinar.

And before we close this portion of the webinar and begin taking any questions, there are several available resources right now to help applicants. So specifically, listed on your screen is some information around technical assistance with submitting the SF-424. That includes a customer support hotline and email address. Any applicant seeking support on submitting information through the JustGrants system can access the Customer Support Hotline for JustGrants at 833-872-5175 or at the email address or website listed on the screen.

There's also an OJP Response Center that applicants may want to visit if they are experiencing any challenges with submitting an application under this solicitation. And

finally, I did want to just have one final reminder that there are dual deadlines for submitting information. The SF-424 due on Grants.gov is due earlier. And that full application due to JustGrants is going to be going in on June 1st, so five days later and, again, reminder this year its at 8:59 p.m. Eastern Time is that timeline cutoff. Certainly if you want to stay tuned to hear more about this opportunity or other programs with OJP, you can text OJP with your email address to 468-311 to subscribe. You can also follow OJP and BJA on Facebook and Twitter or visit BJA's website. And just want to take a quick moment to put these back up on the screen. These are those reference guides and contacts, if you're having any issues with submitting any information for this solicitation, these will be great resources for you. All right. Thank you all so much. And if there are any questions, we're happy to answer those now.

DARYL FOX: Thank you so much, Sunny. Just a reminder to everybody today that the PowerPoint recording and transcript for today will be posted to the BJA website, so if you need to go back and reference anything that was discussed, you can certainly do so. And notification will be sent to all the registrants for today. If you do have a question on the far bottom right of your screen, there's three dots, click that and hit Q&A and just send to All Panelists, we can better organize them as they come in.

So there's nothing in the queue at this time. We'll just wait a few moments. If you do have a question, please go ahead and enter that. I'll go ahead and leave this slide up as well. As Sunny said, just a quick reference important contacts, if you do have questions following this webinar for OJP response and that will be your main contact information for anything solicitation related. A couple questions coming in. "Is a campus-based law enforcement agency eligible to apply for this?"

SUNNY SCHNITZER: That is a great question. So I believe I'd like to circle back on that if that's all right. I believe it's the requirement is a state or local unit of government. But I'll circle back if that's all right.

DARYL FOX: "Is one of the requirements for the grant to have open and potential hate crimes and hate incidents on record?" They're asking particularly because their counties only had a history of one hate crime prosecuted on record with the past 10 or so years.

SUNNY SCHNITZER: Sure. So that is not a requirement of this particular program. We are encouraging reporting of data and issues. I will say, too, if there challenges, for example, with support—with reporting through the NIBRS Program, this program can be a great way to address those challenges. As a reporting requirement in through BJA, we will likely be asking about the number and type of incidents that have occurred in your jurisdiction.

DARYL FOX: The next question is, "There was a mention that's preferable to have some money go to a group that focuses on specific underserved communities. Can you just elaborate on this? And also perhaps address whether this would include umbrella organizations that are already focused on underserved communities simultaneously and particularly an anti-hate coalition?"

SUNNY SCHNITZER: Sure, I would be happy to respond to that. So I believe that particular priority that was mentioned in this question is priority 1B. There's additional information towards the front of the solicitation that really lays out in more detail what the requirements are to be considered under priority 1B. I don't know that I'd be able to give an answer about a specific organization and whether that could be considered. But certainly after reviewing the solicitation, if you have specific questions, certainly feel free to submit those through the OJP Resource Center.

DARYL FOX: And then there was mention on the eligibility for educational institutions partnering with law enforcement. They're part of a state university, however, they only train law enforcement. Is that something that would be considered for eligibility?

SUNNY SCHNITZER: Sure. So eligibility refers to the applicant that's submitting the application. Those are limited to law enforcement and prosecution agencies. Those agencies, however, can partner with other partners. So whether that's a university, a training center, that would be an eligible partnership.

DARYL FOX: "Is there a list available to view on previous grant recipients to this program?"

SUNNY SCHNITZER: There is. Actually, if we can bring back up the slide on BJA—or DOJ Resources on Hate Crimes. The BJA's website for the Matthew Shepard and James Byrd, Jr. Hate Crimes Program does have links not only to the current solicitation, but to previous solicitations and to current awards. One thing that I will mention as a part of this program is in addition to awarding site-based awards, we do have a comprehensive training and technical assistance provider. So in addition to awards made under this program, awardees are also offered really comprehensive training and technical assistance from one of our partner organization.

DARYL FOX: Nothing in the queue at this time, Sunny.

SUNNY SCHNITZER: Well, thank you all so much for participating.

DARYL FOX: So on behalf of the Bureau of Justice Assistance and our panelists, we want to thank you for joining today's webinar. This will end today's presentation.