

BUREAU OF JUSTICE ASSISTANCE

FY 2023 The Price of Justice: Rethinking the Consequences of Fines and Fees

May 23, 2023



BJA
Bureau of Justice Assistance
U.S. Department of Justice

Speakers

U.S. Department of Justice, Bureau of Justice Assistance

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- **Jeff Locke**, Senior Policy Advisor

Agenda

1. Welcome and Introduction
2. Program Overview
3. How to Apply

The Price of Justice:
Rethinking the Consequences
of Fines and Fees

Solicitation is available at:

[https://bja.ojp.gov/funding/opportunities/
o-bja-2023-171758](https://bja.ojp.gov/funding/opportunities/o-bja-2023-171758).

SECTION 1

OVERVIEW



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What is the Office of Justice Programs?

- The Office of Justice Programs (OJP) provides grant funding, training, research, and statistics to the criminal justice community.
- OJP is one of three grant-making components of the Department of Justice along with the **Office on Violence Against Women (OVW)** and the **Office of Community Oriented Policing Services (COPS)**.

Office of Justice Programs (OJP)

BJA – Bureau of Justice Assistance

BJS – Bureau of Justice Statistics

NIJ – National Institute of Justice

OVC – Office for Victims of Crime

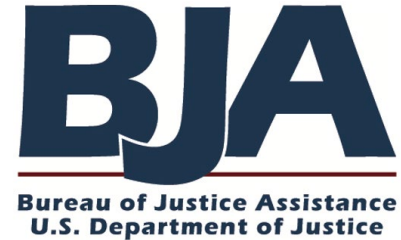
OJJDP – Office of Juvenile Justice and Delinquency Prevention

SMART – Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking

U.S. Department of Justice Bureau of Justice Assistance

Mission: BJA's mission is to provide leadership and services in grant administration and criminal justice policy development to support state, local, and tribal justice strategies to achieve safer communities. BJA works with communities, governments, and nonprofit organizations to reduce crime, recidivism, and unnecessary confinement, and promote a safe and fair criminal justice system.

Karhlton F. Moore, BJA Director



<https://bja.ojp.gov/>





Fund

Invest diverse funding streams to accomplish goals.



Educate

Research, develop, and deliver what works.



Equip

Create tools and products to build capacity and improve outcomes.



Partner

Consult, connect, and convene.

The Price of Justice Program

Training and technical assistance (TTA) provider.

Work with five state, local, and/or tribal criminal justice agencies or systems (“jurisdictions”).

Ensure fines and fees are being imposed in a constitutional and nondiscriminatory way.

Address common barriers to creating a more equitable justice system by addressing how sites use and apply fines and fees.

FY 2023 Appropriation

Congress appropriated \$35 million to administer the Justice Reinvestment Initiative for activities related to criminal justice reform and recidivism reduction. This Price of Justice Program is funded out of this appropriation.

The Price of Justice in the Field

Courts
assess
fines and
fees in
several
ways,
including:

Against defendants in criminal cases who have not been convicted of an offense, or who have had a case dismissed.

Imposing a jail or prison term along with fines and fees.

Imposing fees for interpreters or translated materials against limited English proficient individuals.

The Individual Cost of Unjust Imposition of Fines and Fees

As a result of certain fines and fees, individuals (and their families) may:

Confront escalating debt.

Lose custody of their children.

Face repeated, unnecessary incarceration for nonpayment.

Experience periods of probation and parole.

Be subject to changes in immigration status.

Lose their employment, driver's license, voting rights, or home.

Be further trapped in a cycle of poverty and punishment.

Rethinking the Consequences of Fines and Fees



Constitutional



Nondiscriminatory



Unjust imposition



Civil rights concerns

Rethinking the Consequences of Fines and Fees (cont'd)



BJA is committed to helping states and agencies ensure that their assessment of fines and fees is constitutional and nondiscriminatory.

Rethinking the Consequences of Fines and Fees (cont'd)

BJA recognizes that unjust imposition and enforcement of fines and fees can cause serious civil rights concerns that affect people accused of felonies, misdemeanors, quasi-criminal ordinance violations, and civil infractions.



Unjust imposition



Civil rights concerns

Rethinking the Consequences of Fines and Fees (cont'd)

BJA will fund a TTA provider to work with five jurisdictions and support others in the field to **identify the purpose and intent of their fines and fees policies and practices** and the **resulting impact** of their policies and practices, **including any racial disparities or other constitutional concerns.**

Rethinking the Consequences of Fines and Fees (cont'd)

Subject matter and project management expertise to:

1. Unpack processes and outcomes.
2. Define and make improvements.

SECTION 2

Program Overview



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Purpose

Content expertise and project management guidance



Address common barriers to a more equitable justice system by addressing how agencies use and apply fines and fees.



Support state, local, and/or tribal criminal justice agencies or systems to ensure fines and fees are imposed in constitutional and nondiscriminatory ways.



Further DOJ's mission by creating a more fair and just system and reducing the use of confinement.

Eligible Applicants

- For-profit organizations other than small businesses
- Native American tribal organizations (other than federally recognized tribal governments)
- Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education
- Nonprofits that do not have a 501(c)(3) status with the IRS, other than institutions of higher education
- Private institutions of higher education
- Public and state-controlled institutions of higher education



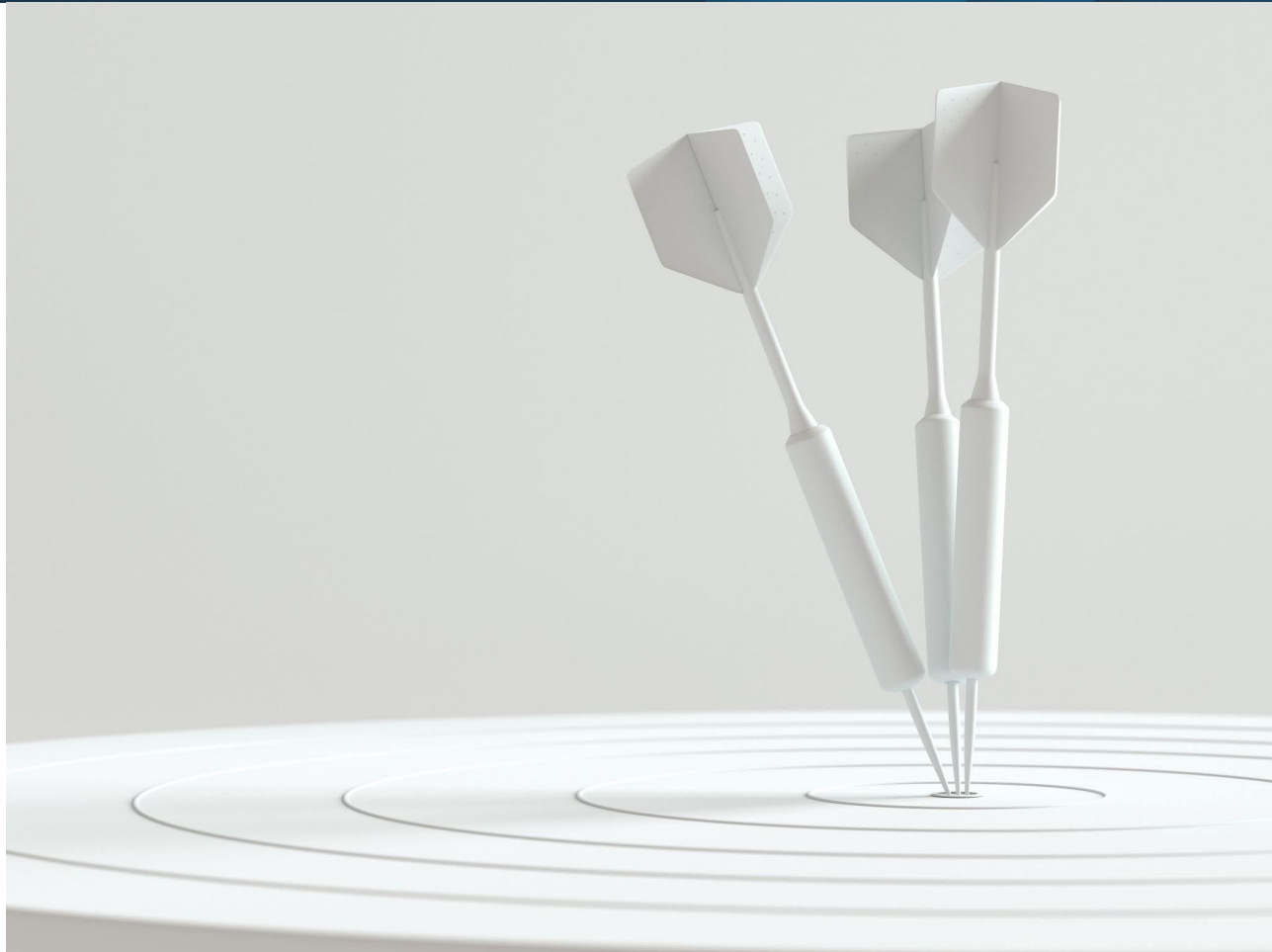
Eligible Applicants (cont'd)



- BJA will consider applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (subgrantees).
- BJA may elect to fund applications submitted under this FY 2023 solicitation in future fiscal years.

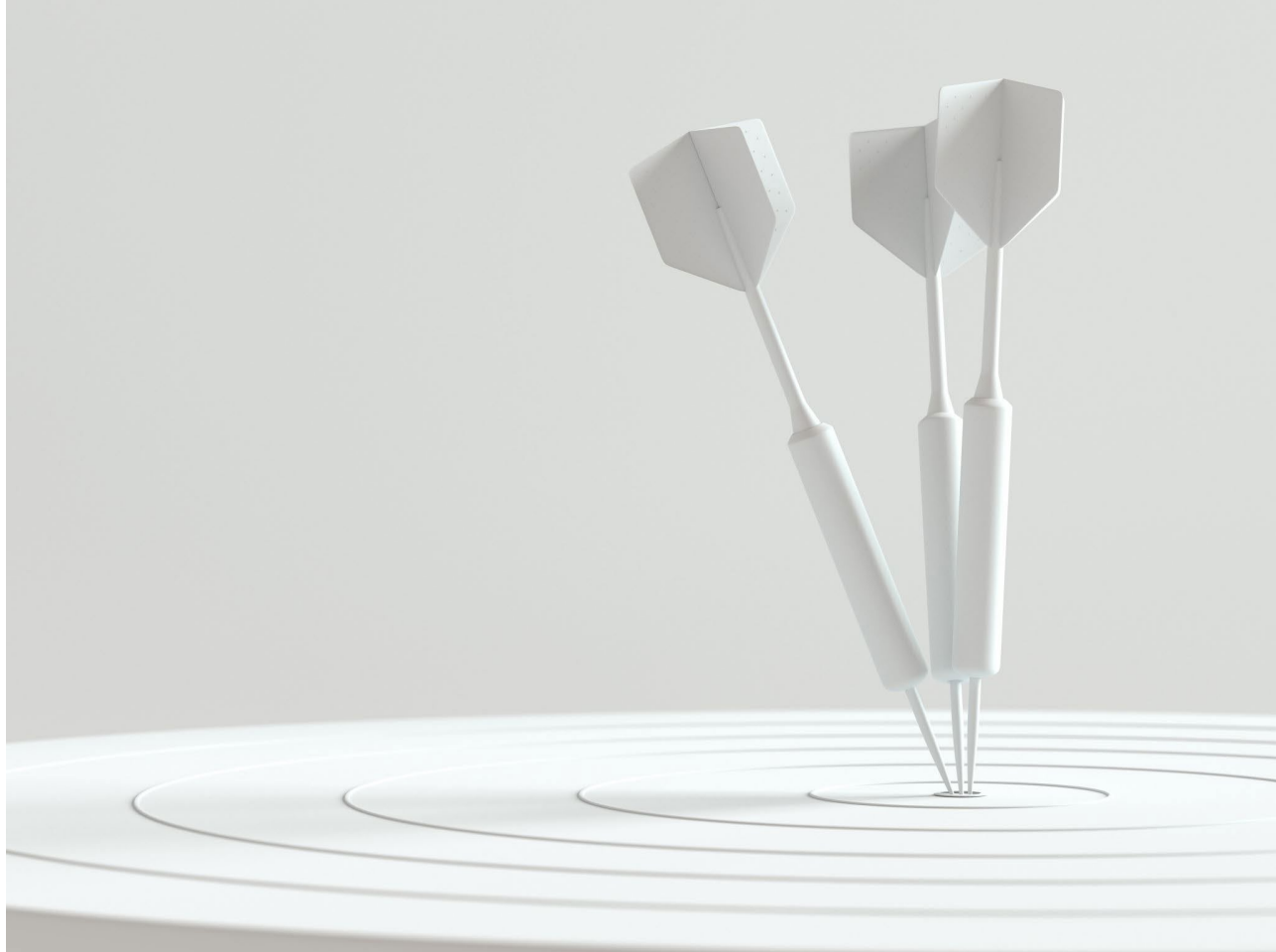
Goals

1.



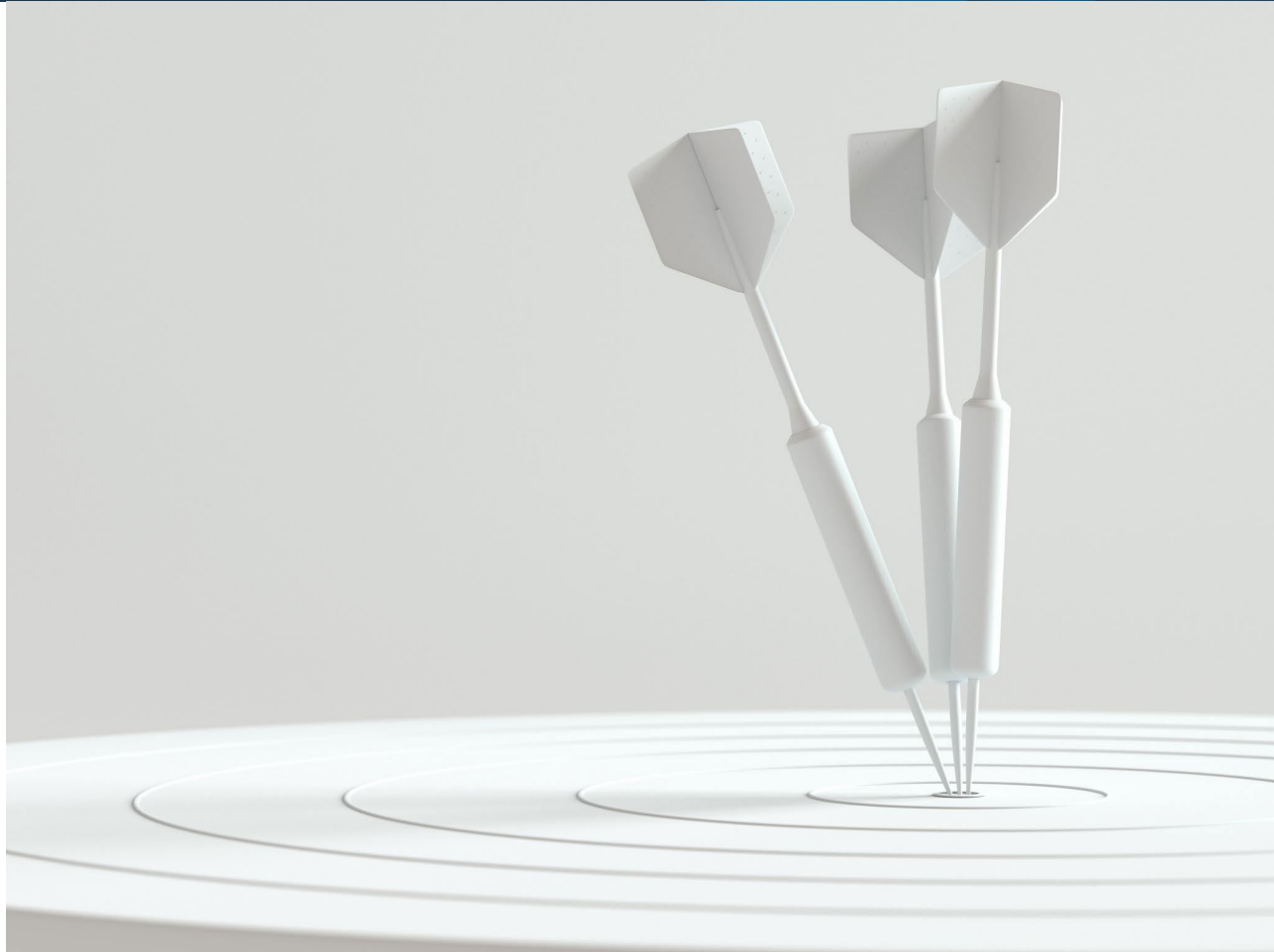
Goals

2.



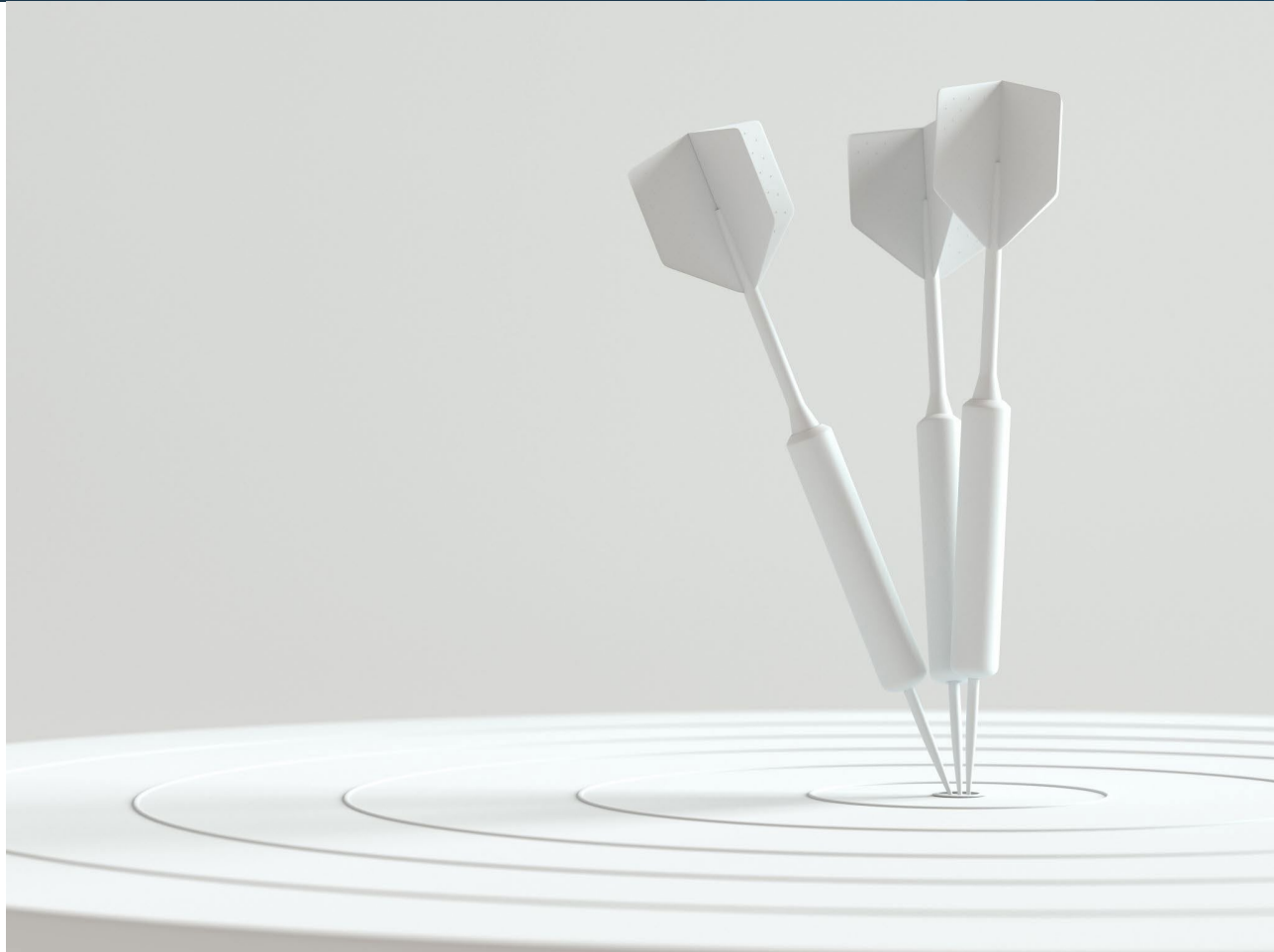
Goals

3.



Goals

4.



Goals

5.

Ultimately redirect the resources used to effectuate assessment and collection of fines and fees into activities shown to have a greater return on public safety.



Objectives

Engage
jurisdictions to:

1. Understand the impact of their fines and fees schemes via objective fiscal analysis.

2. Quantify the costs of operating a fines and fees scheme.

3. Identify policy and practice changes to ensure adherence to constitutional principles and civil rights statutes.

4. Implement identified changes.

Deliverables

Develop and execute a process to **select five jurisdictions**, in consultation with BJA, and then:

- Conduct a **cost-benefit analysis**.
- Assess **alignment of fines and fees schemes**.
- Present **findings**.
- Provide SME and **facilitation with stakeholders**.
- Develop and support **workplan implementation**.
- Guide **performance measurement**.

At BJA's direction, work with other jurisdictions whose fines and fees schemes are identified by DOJ enforcement offices as not in compliance with constitutional principles and civil rights statutes.

Deliver a final report.

Grant Award Information

- Number of awards: 1
- Award amount: up to \$2,500,000
- Period of performance: 36 months
- Period begins: 10/1/2023

DOJ Grants Financial Guide

- Compiles a variety of laws, rules, and regulations that affect the financial and administrative management of DOJ awards.
- Serves as a starting point for all award recipients and subrecipients of DOJ grants and cooperative agreements in ensuring the effective day-to-day management of awards.
- Visit: <https://www.ojp.gov/funding/financialguidedoj/overview>.

Unallowable Uses of Award Funds

- See the DOJ Grants Financial Guide for unallowable costs: <https://www.ojp.gov/funding/apply/ojp-grant-application-resource-guide#costs-associated>. Examples include:
 - Pre-agreement costs (also known as “pre-award costs”)
 - Limitation on use of award funds for employee compensation: waiver
 - Prior approval, planning, and reporting of conference/meeting/training costs
 - Costs associated with language assistance, if applicable

Letters of Support

- For each named partner entity, a signed Letter of Support should be included that confirms the partner's agreement to support the project through commitments of staff time, space, services, or other project needs.
- Applications submitted from two or more entities are encouraged to submit signed Letters of Support that provide a detailed description of how the agencies will work together to meet the project's requirements.
- Each Letter of Support should include the following: (1) names of the organizations involved in the agreement, (2) scope of the direct service(s) and other work to be performed under the agreement, and (3) duration of the agreement.

Documentation of Advancing DOJ Priorities

- Promotes racial equity.
- Increases access to justice.
- Supports crime victims and individuals impacted by the justice system.
- Strengthens community safety and protects the public from crime and evolving threats.
- Builds trust between law enforcement and community populations and communities.



Priority Areas

Executive Order 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*. In support of this Executive Order, OJP will provide priority consideration to:

- a) Proposed project(s) designed to **promote racial equity** and the **removal of barriers** to justice access and opportunity for communities that have been historically underserved, marginalized, and adversely affected by inequality.
- b) Applications that demonstrate that their capabilities and competencies for implementing their proposed project(s) are enhanced because they identify as a culturally specific organization.

Tribal Authorizing Resolution

- If applicable, submit the Tribal Authorizing Resolution by uploading it as an attachment in JustGrants.
- See the [OJP Grant Application Resource Guide](#) for information on tribal authorizing documentation.

Plan for Data Collection Required for Performance Measures

- Describe the process for measuring project performance, including who will collect the data, who is responsible for performance measurements, and how the information will be used to guide and evaluate the project's impact.
- Describe the process to accurately report data.



Budget

- The applicant will complete the JustGrants web-based budget form.
- If the applicant is seeking priority consideration under Priority 1(A) and has proposed activities to incorporate the input and participation of communities that have been historically underserved, marginalized, and adversely affected by inequality, financial support for the identified activities and participation must be reflected in the web-based budget form.

Budget (cont'd)

- If the applicant is seeking priority consideration under Priority 1(B) based on the identification of at least one proposed subrecipient as a culturally specific organization, the proposed funding for the subrecipient in the web-based budget form **must reflect a minimum of 40% of award funding.**
- For priority consideration under Priority 1(B), the budget narrative must also describe how the activities that will be funded with the (minimum) 40% of award funding provided to the subrecipient **specifically relate to the priority consideration requested** and described in the Capabilities and Competencies section of the application.

SECTION 3

HOW TO APPLY



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Before You Apply

Registration

Register with the **System for Award Management (SAM)**.

- You must renew and validate your registration every 12 months.
- If you do not renew your SAM registration, it will expire.
- An expired registration can delay or prevent application submission in Grants.gov and JustGrants.
- Registration and renewal can take up to 10 business days to complete.

Two-Step Application Process

Step 1 (Grants.gov)

- After registering with SAM, submit the **SF-424** and **SF-LLL** in Grants.gov at <https://www.grants.gov/web/grants/register.html> as early as possible, but no later than 48 hours before the Grants.gov deadline.
- The Grants.gov deadline is July 6, 2023, at 8:59 p.m. ET.

Step 2 (JustGrants)

- Submit the full application, including attachments, at <https://justicegrants.usdoj.gov/>.
- The JustGrants deadline is July 13, 2023, at 8:59 p.m. ET.

Additional Information

- See the “How to Apply” section in the OJP Grant Application Resource Guide at:
<https://www.ojp.gov/funding/apply/ojp-grant-application-resource-guide#apply>.
- See the DOJ Application Submission Checklist at:
<https://justicegrants.usdoj.gov/sites/g/files/xyckuh296/files/media/document/appln-submission-checklist.pdf>.

Application Submission

- ✓ Identify the forms needed to submit an application.
- ✓ Complete a web-based budget form.
- ✓ Complete an application, including certifying the information.
- ✓ Submit the application.

JustGrants Resources



Training: “Application Submission”

Archived webinars show how to use JustGrants to apply for funding, including:

- How to search and find open DOJ funding opportunities.
- The steps/actions to take before applying for funding (e.g., SAM.gov).
- The JustGrants roles (e.g., Entity Administrator, Application Submitter, etc.) required to submit an application.
- How to navigate and use the system (e.g., save your work, etc.).

Quick Reference: Important Contacts



Technical Assistance Submitting the SF-424 and SF-LLL
into Grants.Gov: 800-518-4726, 606-545-5035
support@grants.gov



Technical Assistance Submitting the FULL APPLICATION
into JustGrants: 833-872-5175
JustGrants.Support@usdoj.gov



Technical Assistance with Programmatic Requirements
contact the OJP Response Center: 800-851-3420
grants@ncjrs.gov

Application Elements

- ✓ Application (Form SF-424)
- ✓ Proposal Abstract
- ✓ Proposal Narrative
- ✓ Goals, Objectives, Deliverables, and Timelines
- ✓ Budget Information
- ✓ Letters of Support
- ✓ Indirect Cost Rate Agreement
- ✓ Financial Management Questionnaire
- ✓ Disclosures: Lobbying, Pending Applications, Research and Evaluation Independence, Executive Compensation

Review Criteria

Selection Criteria	Weight
Statement of the Problem/Description of the issue	15%
Project design and implementation	35%
Capabilities and competencies	35%
Plan for collecting data for performance measures	5%
Budget	10%

Recommended Resources: BJA Grant Applicant Education Series

- Funding Opportunities for Your Community in 2023: [An Overview of What's Ahead](#)
- The Funding Process: [First Steps to Applying, How to Prepare Now, and Other Considerations](#)
 - PDFs of the presentations and transcripts are available at:
<https://www.bja.gov/funding/webinars.html>.

Recommended Resources

OJP Funding Resource Center

<https://ojp.gov/funding/index.htm>

DOJ Grants Financial Guide

<https://ojp.gov/financilaguidedojo/overview>

DOJ Grants Financial Management Online Training

<https://www.ojp.gov/training/financial-management-training>

OJP Grant Application Resource Guide

<https://ojp.gov/funding/Apply/Resources/Grant-App-Resource-Guide.htm>

National Institute of Justice's CrimeSolutions.gov

<https://www.CrimeSolutions.gov>



Questions?

Enter in the Q&A box and
send to All Panelists