

DARYL FOX: Good afternoon, everyone, and welcome to today's webinar, "FY 2023 The Price of Justice: Rethinking the Consequences of Fines and Fees," hosted by the Bureau of Justice Assistance. At this time, it's my pleasure to introduce Heather Tubman-Carbone, PhD, Associate Deputy Director for the Corrections, Reentry, and Justice Reform Team within the BJA Policy Office. Heather will be starting things off today. Heather?

HEATHER TUBMAN-CARBONE: Thank you, Daryl, for the introduction and good afternoon, everyone. Thank you for joining us to learn about this funding opportunity. As you heard, I'm Heather Tubman-Carbone at BJA. We are so excited to have you join this presentation. Today, I'm going to start us off with a quick overview of OJP and BJA, as well as give some background on this year's Fines and Fees funding opportunity. We'll get into the details of the solicitation, where we will cover the purpose, objectives, and deliverables, as well as provide some additional information and flag related resources around JustGrants and the application process.

So, to start with our overview, as you are all likely aware, BJA is part of the Office of Justice Programs, or OJP, at the Department of Justice. OJP provides grant funding, training, research, and statistics to the criminal justice community. The Office of Justice Programs is one of three grant-making components in the Department of Justice, along with the Office on Violence Against Women and the Office of Community Oriented Policing Services.

Within the Office of Justice Programs, we have the SMART Office, which is the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking; the Office of Juvenile Justice and Delinquency Prevention; the Office for Victims of Crime; the National Institute of Justice; and the Bureau of Justice Statistics. And the program we're going to talk about today sits with us at BJA, the Bureau of Justice Assistance.

The Bureau of Justice Assistance's mission is to provide leadership and grant services in administration of criminal justice policy and development to support state, local, and tribal justice strategies in pursuit of safer communities. BJA works with communities, governments, and nonprofit organizations to reduce crime, reduce recidivism, reduce unnecessary confinement, and promote a safe and fair criminal justice system. You can learn more about us at bj.gov.

At BJA, our current director is Karhlton Moore. He was appointed by President Biden in February 2022. Director Moore leads BJA's programmatic and policy efforts on a wide range of resources, including training and technical assistance to law enforcement, courts, corrections, treatment behind the walls and in the community, reentry, justice

information sharing, and community-based partners to address chronic and emerging criminal justice challenges nationwide.

At BJA, we undertake four major actions. We fund, educate, equip, and partner. By fund, we invest in diverse funding streams to accomplish goals across the nation. We educate. We research. We develop and deliver what works. At BJA, we create tools and products to build capacity and improve outcomes. We also partner, which can mean consulting, connecting, and convening subject matter experts.

With the funding we'll talk about today, the Fines and Fees program, we will support a training and technical assistance provider who will, in turn, work with jurisdictions across the nation. A training and technical assistance provider has subject-matter expertise and project management skills to help jurisdictions pursue their goals in line with this Fines and Fees solicitation. In this case, a training and technical, or TTA, assistance provider will work in partnership with five state, local, and/or tribal criminal justice agencies or systems to address the use of fines and fees and ensure that they're being imposed in a constitutional and nondiscriminatory way. It will address common barriers to creating a more equitable justice system by addressing how these jurisdictions use and apply fines and fees.

In this program, called Price of Justice: Rethinking the Consequences of Fines and Fees, we are using funding appropriated to DOJ through the Justice Reinvestment Initiative, also known as JRI. BJA recognizes there are multiple purposes and substantial variety with regard to how and why fines and fees are assessed across the nation. In some instances, these are used to support court operations, to deter offending, and/or to compensate victims for losses. At the same time, certain courts assess fines and fees against defendants who have not been convicted of an offense or who have had a case dismissed. In other cases, courts impose a jail or prison term along with the fines and fees or sometimes in response to fines and fees going unpaid. Sometimes courts impose fees for people who need help when they're trying to meaningfully access court proceedings and operations through translators or other assistance. This program is poised to help jurisdictions understand what they are doing, how it's working, and to do better, as they desire.

Unjust imposition of fines and fees on individuals who cannot afford to pay them can cause profound harm and result in individuals and their families facing consequences that continue cycles of poverty and punishment. So with this program, we want to help states rethink the purpose and consequences of fines and fees. Next slide please.

BJA is committed to helping states and agencies therein ensure that their assessments of fines and fees is constitutional and nondiscriminatory and recognizes the impacts on individuals and families. Next slide please.

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. Next slide. Thank you.

So with this solicitation, which Jeff will dive into in a moment, is designed to identify a training and technical assistance provider to work with five jurisdictions, who BJA will help them identify, to understand the purpose and intent of their fines and fees policies and practices and the resulting impact of those policies and practices, including any racial disparities or other constitutional concerns. The selected TTA provider may additionally be asked to work with jurisdictions who are identified by DOJ enforcement offices as being out of compliance with civil rights statutes and other statutes not adhering to constitutional principles, at BJA's discretion. Again, this program is poised to help jurisdictions understand what they are doing, how it is working, and to do better.

For example, a court system may assess fees to, in part, support court operations. But analyses have shown that those schemes may sometimes cost more to administer than they actually bring in. This program will help jurisdictions unpack those processes and outcomes and then define and make improvements. With that background, I'll now pass it on to Jeff to get into greater detail about this funding opportunity. Thank you.

JEFFREY LOCKE: Great. And thank you, Heather. I appreciate that. And as a reminder, please be sure to add any questions you might have regarding this program into the Q&A box so we can answer those at the end of the presentation. With that, let's dive deeper into the program itself.

The specific purpose of this solicitation is to address common barriers to creating a more equitable justice system by addressing how agencies use and apply fines and fees. This solicitation is a call for applications from TTA providers, armed with their content expertise and project management guidance, to support state, local, and/or tribal criminal justice agencies or systems to address the use of fines and fees and ensure, as Heather has noted, that they are being imposed in a constitutional and non-discriminatory way. Next slide.

Eligible applicants include for-profit organizations other than small businesses, Native American tribal governments (other than federally recognized tribal governments), nonprofits having a 501(c)(3) status with the IRS, nonprofits that do not have a 501(c)(3)

status with the IRS (other than institutes of higher ed), private institutions of higher education, and public- and state-controlled institutions of higher education. 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 or subgrantees.

Now, let's turn to discussing the goals, objectives, and deliverables for this program. These goals include, first, reducing the disproportionate impact of fines and fees on communities most impacted by poverty and inequality. Secondly, understanding the costs and benefits of fines and fees to funding operations. Third, assisting jurisdictions in reducing reliance on fines and fees to fund said operations. Fourth, assisting jurisdictions in reducing jailing and other sanctions (for example, debt-based license restrictions) for failure to pay. Finally, the fifth goal is to ultimately redirect the resources used to effectuate assessment and collections of fines and fees into activities shown to have a greater return on public safety.

We want to also underscore the objectives for this solicitation. Objectives of this program include engaging jurisdictions to understand the impact of their fines and fees schemes via objective fiscal analysis; quantifying the costs of operating a fines and fees scheme; identifying policy and practice changes to ensure adherence to constitutional principles and civil rights statutes; and implementing identified changes.

Taking a closer look at the deliverables we're requiring. First, we're asking for development and execution of a process to select five jurisdictions in consultation with BJA. Secondly, working with selected jurisdictions to conduct a cost-benefit analysis, assessing alignment of fines and fees schemes, presenting such findings, providing subject-matter expertise and facilitation with stakeholders and a work plan, supporting this work plan implementation and performance measurement. Thirdly, at BJA's direction, working with other jurisdictions whose fines and fees schemes are identified by DOJ enforcement offices as not being in compliance with constitutional principles and/or civil rights statutes. And, finally, preparing and delivering a final report.

So a quick summary of this award. BJA anticipates one award for a maximum of \$2,500,000 with a 36-month period of performance that would start on October 1st of this year.

I want to next flag a great resource for all applicants as you put together your respective applications, which is the DOJ Grants Financial Guide. This guide serves as a compendium of laws, rules, and regulations that affect the financial and administrative management of Department of Justice awards. For example, the guide is very helpful in

laying out unallowable uses of award funds, some of which we can identify here on the next slide.

Additionally, we want to point out that applicants on this next slide should include, for each named partner entity, a signed Letter of Support that confirms—these Letters of Support will confirm 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 these Letters of Support that provide a detailed description of how the agencies will work together to meet the project requirements. Your Letters of Support should include the following elements: one, the names of the organizations involved in the agreement; two, the scope of the directed services and other work to be performed under said agreement; and three, the duration of the agreement.

Importantly to note, the Department of Justice is committed to advancing work that promotes civil rights and 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 threat as well as builds trust between law enforcement and the community.

In support of the president's executive order, OJP will provide priority consideration when making award decisions to the following: Applications that propose projects that are designed to promote racial equity and the removal of barriers to access and opportunity for communities that have been historically underserved, marginalized, and adversely affected by inequality; and applicants that demonstrate that their capabilities and competencies for implementing their proposed projects are enhanced because they, or at least one proposed subrecipient that will receive at least 40% of the requested award funding as demonstrated in the budget web-based form, identify as a culturally specific organization. Please see additional detail from within the solicitation on both priority considerations.

Turning next to the Tribal Authorizing Resolution. Again, if applicable, applicants must submit the Tribal Authorizing Resolution by uploading it as an attachment in JustGrants. The OJP Grant Application Resource Guide has more information on the Tribal Authorizing Resolutions as well as instructions on submitting this in JustGrants as required.

Another section is the plan for data collection. We want to underscore that this is very important. The application asks for a description of the process for measuring project performance. As such, please identify 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. The application also requires that applicants describe the process to accurately report data. Please note that an applicant is not required to submit performance data with this application. Rather, performance measure information is included as a notification that award recipients will be required to submit performance data as part of each award's reporting requirements. Some measures are presented as examples, while others are the exact measures that every recipient will be expected to address.

Turning next to the budget. Applicants will complete the JustGrants web-based budget form. If the applicant is seeking priority consideration under Priority 1(A), which we discussed before, and has proposed activities—such as community or stakeholder meetings; community outreach or public awareness campaigns; community participation in project design, implementation, or evaluation; etc.—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.

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. 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.

Applicants should propose to set aside funds to work with jurisdictions that OJP, separate from this solicited program, finds to be out of compliance with civil rights statutes. BJA will direct the work as it arises.

If you're interested in applying for this award, and we certainly hope you are, then this next section will give you some helpful information on how to apply. Before you submit an application, you must register with the System for Award Management, SAM.gov, and you must renew and validate this registration every 12 months. If you don't do so, it will expire. An expired registration can delay or prevent application submission in Grants.gov and JustGrants. And registration and renewal, please keep this in mind, it can take up to 10 business days to complete. So we really recommend you go to SAM.gov as soon as possible to register.

Following your registration with SAM.gov, the application process follows two steps. And the first step is on Grants.gov. So after registering with SAM, you'll submit an SF-424 and an SF-LLL in Grants.gov. The link is provided here. Submit this as early as possible but no later than 48 hours before the Grants.gov deadline, which is listed on the slide. That will be July 6 of this year at 8:59 [p.m.] Eastern [Time]. We will also recommend avoiding any technical issues, so doing that as soon as possible may be beneficial.

And then step two is where you will submit your full application, which is done through JustGrants. Please know that the JustGrants deadline for your full application materials is due July 13th at 8:59 p.m. Eastern [Time]. There's a lot of helpful information you can find online, particularly if this is your first time applying for funds, at the OJP Grant Application Resource Guide, which is listed here, and the DOJ Application Submission Checklist. We strongly recommend that you visit both of these websites, really to have a good understanding of what's needed for your application.

When you're ready to apply, you'll identify the forms needed to submit an application; complete a web-based budget form; the application itself, including certifying all the requisite information; and submitting the application in JustGrants. JustGrants has a lot of support in it as well that we'll discuss. If it's your first time with the system, just know you'll eventually be able to access JustGrants and that will take you as well to several webinars and trainings. If you're new to JustGrants, we highly recommend you visit these resources, which we'll detail, including the link on this slide. You'll learn to search and find open DOJ funding opportunities in addition to different award actions that you need to take before applying for funding. Roles in JustGrants—what it means to be an Entity Administrator and the Application Submitter—this will become very important information throughout the cycle of your grant, so please become familiar with that before you submit. They'll also be beneficial to learn how to navigate and use the system. So saving your work before moving on to the next page will be an instrumental lesson here, for one example.

And with this information from JustGrants, you'll also note that we've provided Grants.gov and OJP Resource Center information. You really can contact the service desks at the numbers provided here or at the email addresses listed there at your leisure. They're very helpful. We know this. We've heard this from current grantees. So please feel free to use these supports early and often. And for any assistance with other requirements for this solicitation, you can contact the OJP Response Center at the number listed here or at the email address that is on the slide.

To review, this application requires several elements needed for the award, which include your SF-424, which is your application; the Proposal Abstract; your narratives; goals, objectives, deliverables, and, importantly, the timelines; all of your budget information; as was earlier mentioned, your Letters of Support; the Indirect Cost Rate Agreement, if it applies; your Financial Management Questionnaire; and any disclosures pertaining to lobbying, pending applications, research and evaluation, independence forms, and executive compensation.

For this award, the selection criteria is important to keep in mind as you write your proposal. It will be reviewed in the following manner. Your Statement of the Problem or Description of the Issue will count towards 15% of your award. The bulk of it here is your Project Design and Implementation and this is what you will get to talk about—what you'll actually be doing and how you will do it. The Capabilities and Competencies of your entity, along with any partner agencies, will count for 35% of your overall proposal. And then the Plan for Collecting Data for this solicitation performance measures is at 5%, with your Budget at 10%.

We wanted to provide as many resources as possible, particularly for first-time applicants, so we've added recommended resources here that you can check out, which include other funding opportunities this year, What's Ahead; The Funding Process: First Steps to Apply, How to Prepare Now, and Other Considerations. You can find PDFs of all these presentations and transcripts at BJA.gov at the sites listed here and several other recommended resources. We have plenty of resources available to you through the OJP Funding Resource Center, listed here. The DOJ Grant Financial Guide—please make sure to check that out, in particular, the DOJ Grant Financial Management Online Training, which you will need to complete if awarded. The OJP Application Resource Guide. And also the NIJ CrimeSolutions.gov, which covers evidence-based programming, what we know about what works, what doesn't, and what's promising. With that, I will turn it back to Heather, and thank you for your interest in participating today.

HEATHER TUBMAN-CARBONE: Thank you, Jeff. Is everybody—if anybody, I should say, actually, has any questions, please go ahead and enter them in the Q&A box. As a reminder, if you look to the bottom right of your screen, there are three dots. If you click on those dots, you'll see an option for Q&A. We don't have any questions at the moment, so I'll give it another minute.

We've got our first question. "Will BJA be involved in selecting the five jurisdictions?" Yes. So the way this would work is that in this application process, under this solicitation, applicants should propose how they will select the five sites. You'll see there's some direction to that in the solicitation. BJA will provide direction related to

approving that process of selection or soliciting for those jurisdictions and then also on the approval...the final approval process.

I'm going to pause for a second to see if any more questions come in. Okay. We've got another question. "Are the jurisdictions states, cities, counties, all of the above, and will there be any money available for the jurisdictions?" So with the current funding opportunity, the jurisdictions that the TA provider will work with may be states, cities, counties, or tribal entities. Those jurisdictions will not receive any funding directly with this solicitation opportunity this year. What we're doing is funding a technical expert to assist jurisdictions across the nation who want to engage in this work.

We've got another question. "Will it be possible to provide funding to community partners on the ground at the site and is there a way to ensure that small partners that don't have the capacity to manage federal reporting requirements can still participate?" This is a great question, and this is something that BJA has been giving—BJA and, frankly, all OJP sister agencies, have given a lot of thought to. So the federal award management guidelines are [INDISTINCT]. We realize that they are a lot to manage, and so we absolutely encourage partnerships where newer or smaller organizations partner with larger ones so that the smaller ones can build their capacity or tap into the capacity of those larger or older ones. We are not providing to the—that's the second part. To the first part of the question, "Will it be possible to provide funding to community partners on the ground at the site?" I'm assuming that by site you mean the jurisdictions that are selected that the TA provider and BJA select to work with. No. There will not be any funding passed through to them.

We've got one more question in here. "Can we provide examples of previous funding requests?" This is the first time that BJA is competing this opportunity. In the past, I believe it was in 2016, we competed a fines and fees solicitation, and at that time, it was funding that went to the site and selected a training and technical assistance provider to work with them. This is the first time that we are running this type of competition for a technical assistance provider to assist the field at large and to work with five sites to be selected. So we don't have examples, just because this is the first one.

I think—got some dots. I think there's another one coming in. Got a clarification. Let's see. "By community partners at the site, I mean, subject-matter experts who have particular knowledge about the site, such as local nonprofits, university professors." Okay. So the jurisdictions are sites that the TA provider selects to work with. Those sites and their partners will not receive any funds through this solicitation. The funding for this solicitation is entirely for a training and technical assistance partner to work with BJA to select five jurisdictions across the nation to work with and then to deliver a set of

services to those jurisdictions. The money will not pass through to those jurisdictions or to any entities that they work with.

Seeing no other questions—we'll give it one more second, but seeing no other questions, we will wrap up for today. I know at the start of the session, we showed the slide—I'm sorry—towards the end of the session, actually, we showed the slide of—here we go. Thank you so much, Daryl. Of places to contact. This is our Quick Reference Guide. If you have any further questions, you'll see there are different people to contact for different reasons, so I highly recommend you take a screenshot of this slide, take a photo with your phone. It is also all contained in the solicitation.

We've got one last question. "How soon is the PowerPoint available?" The PowerPoint should be online, as well as a recorded version of this webinar, within just a few days. Please also keep in mind that all content in this webinar is also in the solicitation. BJA intentionally does not—we intentionally, rather, release all information in the solicitation and we're simply talking through it here today.

Well, with that, thank you all so much for joining us. Thank you, Jeff, for your expertise. Thank you, Daryl, for your expertise and coordination in getting us all together here. So please don't hesitate to reach out if you have further questions. Use those contacts on your screen. And as you heard from Jeff, if you do not have a SAM number, please go online and get one sooner rather than later. It could take 10 days to process, and you will need that in order to apply for this award. Thank you all so much for your time. We hope to see your applications coming in the door. Have a good one.

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.