



## Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies FY 2019 Competitive Grant

### Frequently Asked Questions

#### Questions Related to Eligibility and Category of Funding

##### 1. Who is eligible to apply?

Eligible applicants are limited to **public agencies** of state government, units of local government<sup>1</sup>, and federally recognized Indian tribal governments that perform law enforcement functions (as determined by the Secretary of the Interior); or any department, agency, or an instrumentality of the foregoing that performs criminal justice functions (including combinations of the preceding, one of which is designated as the **primary applicant**).

**Public agencies** are those that operate using public funds, whether from state, county, or municipal sources.

Examples of publicly funded law enforcement and criminal justice agencies that are eligible for BWCPPIP grant applicants include:

- Municipal police departments
- County police departments
- County sheriff's department
- State police agencies
- Tribal law enforcement agencies
- Public university or college police agencies (e.g., state universities or community colleges)
- School police operating under the auspices of publicly funded schools (including primary and secondary school)
- Transit police operating under the auspices of publically funded

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<sup>1</sup> A "Unit of Local Government" is defined at 42 USC § 3791(c) as: "(A) any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State; (B) any law enforcement district or judicial enforcement district that-- (i) is established under applicable State law; and (ii) has the authority to, in a manner independent of other State entities, establish a budget and impose taxes; (C) an Indian Tribe that performs law enforcement functions, as determined by the Secretary of the Interior; or (D) for the purposes of assistance eligibility, any agency of the government of the District of Columbia or the Federal Government that performs law enforcement functions in and for-- (i) the District of Columbia; or (ii) any Trust Territory of the United States[.]"

- transportation authorities (e.g., public transit police)
- State or local correctional agencies (provided the organization performs law enforcement functions and is publicly funded).

Examples of agencies that are not eligible include:

- Privately funded law enforcement or security agencies
- Private University law enforcement or security agencies

Eligible agencies may apply on their own behalf. They may also apply **for BWC partnership awards** as a **primary applicant** with other eligible agencies being designated as sub-recipients. More details on BWC partnership awards are provided under question 3.

## 2. Under what category should my agency apply?

For **Categories 1 to 3**, agency size, defined by the authorized number of sworn offices in the agency determines the application category under which to apply, **not the number of BWCs being requested**.

For example, if an agency with 300 sworn officers intends to apply for a grant to purchase 200 cameras for officers in its patrol division, the department should apply under Category 2: Implementation or Expansion of BWC Programs for Large Agencies (251 to 1,000 Sworn Officers).

This metric applies for **BWC partnership applicants** that will be including sub-recipient (subgrantee) agencies. The total number of sworn officers between all the departments that will be participating in the grant determine the category under which the primary applicant should apply. For example, if an agency with 200 sworn officers applies as the primary applicant and proposes to include a neighboring agency with 75 sworn officers as a sub-recipient, the total number of sworn officers for the purposes of the grant application is 275. The primary agency applicant should apply under Category 2: Implementation or Expansion of BWC Programs for Large Agencies (251 to 1,000 Sworn Officers).

Applications under **Category 4: Implementation or Expansion of BWC Programs through State or Regional Consortia**, are reserved for programs where multiple agencies would work together to carry out BWCPIP implementation under an established consortium representing a group of law enforcement agencies. Category 4 applicants must plan to purchase at least 100 BWCs across the participating agencies.

Eligible Category 4 applicants are distinct from Category 1 through 3 applicants in that the agency applying for the grant would not be requesting BWCs for itself, but would be doing so on behalf for a group of sub-recipient agencies. The difference between a “BWC partnership” application and a “state or regional

consortium” application are spelled out under question 3.

### **3. What is the difference between a BWC Partnership application and State or Regional Consortium application?**

BJA encourages applications that leverage economies of scale. One way to leverage economies of scale is the inclusion of sub-recipients. There are two ways that this may be done under the BWCPPI solicitation, through a multi-agency BWC Partnership application or through a State or Regional Consortia application.

A BWC Partnership application is one in which a primary applicant submits an application for its own BWC program and also includes other law enforcement agencies as subrecipients. For example, a municipal police agency could apply on behalf of itself and a neighboring municipal department with the intent of purchasing BWCs and implementing program for both agencies. Another example could be a sheriff’s department that provides law enforcement services for non-incorporated areas within a county including municipal police departments operating within the county as subrecipients.

Under BWC Partnership applications, the primary applicant is responsible for submitting the application and, if awarded funds, for administering the grant. Partnership applications must include a letter of intent or memorandum of understanding from each sub-recipient agency. The project narrative and budget detail worksheet should make clear how many cameras are planned to be purchased for each agency.

A State or Regional Consortium application is one in which an established association applies on behalf of membership organization. Any consortium representing law enforcement agencies in which an established organization is authorized to act as a legal instrument on behalf of component or member organizations is eligible to apply, even if that organization does not itself perform direct law enforcement services.

An example of a state consortium that has previously received BWCPPI funding is the Pennsylvania Commission on Crime and Delinquency, a State Administering Agency (SSA). A full list of SSAs eligible to apply can be found at <https://ojp.gov/saa/>.

An example of a regional consortium that has previously received BWCPPI funding is the Regional Justice Information Service located in the St. Louis region.

Consortium applications must include a letter of intent or memorandum of understanding from each sub-recipient agency indicating their support of the

application and intent to participate should funds be awarded. The project narrative and budget documentation should make clear how many cameras are planned to be purchased for each agency.

**4. Is a state police agency eligible to apply?**

BWCPIP grants can only be provided to state agencies with laws governing body-worn cameras. State agency applicants must assure that their BWC programs are consistent with state laws and will not interfere with state laws and requirements.

**5. Under what category should a state law enforcement agency apply?**

A state police agency applying for a grant for a program that will supply BWCs only for its own offices should apply under Categories 1 through 3 based on the number of sworn officers it employs.

A state police agency applying for its own BWC cameras and program implementation, as well as for one or more sub-recipient agency, is a BWC Partnership application. The agency should apply under Categories 1 through 3. The category selected should be based on the number of sworn officers across all agencies (the state police agency as the primary and all sub-recipient agencies).

Some state police agencies are designated as State Administering Agencies (SSAs). If a state police agency is applying in its role as an SSA and it is not seeking to purchase and deploy cameras itself, it should apply under Category 4, Implementation or Expansion of BWC Programs through State or Regional Consortia.

**6. Can an agency apply if it has already established a BWC program or has received BWC funding in past years?**

Yes, under limited circumstances. Applicants may propose to use BWCPIP funds to expand BWC programs already in existence, including those that have received BWC-PIP funds for pilot or partial implementations. These applicants, however, must establish within their application that they will complete the same objectives and deliverables as would be expected of agencies establishing new BWC programs.

**7. Can correctional facilities apply for BWCPIP funding?**

Yes, state and local correctional facilities are eligible to apply. Correctional agencies, whether operating as state, county, or municipal institutions, should ensure through their respective government agencies, that they are duly

authorized and recognized law enforcement entities according those governing bodies.

**8. Can a prosecutor's office apply?**

Yes, a prosecutor's office can apply since they are considered a law enforcement agency. A prosecutor's office could apply to purchase BWC for their own investigators. They also may apply as a primary applicant on behalf of municipal and county agencies that operate within their geographic jurisdiction.

If a prosecutor's office applies for cameras for its own officers or for its own officer and officers in agencies within its jurisdiction, it should apply under categories 1 through 3, using the total number of sworn offices as the to determine the specific category.

If a prosecutor's office does not intend to procure BWCs for its own officers but plans include sub-recipients agencies it should apply under category 4 as a Regional Consortium.

**9. Are Indian tribal governments eligible to apply?**

Yes, federally recognized Indian tribal governments that perform law enforcement functions (as determined by the Secretary of the Interior) are eligible to apply.

**10. Are K-12 public schools eligible to apply for funding for officers?**

Public school districts or authorities are eligible to apply only if they maintain their own separate law enforcement officers that are administratively distinct and independent from local, state or county enforcement agencies that serve the broader geographic jurisdiction.

**11. Is funding available for school resource officers (SROs)?**

Funding for school resource officers (SROs) is permissible as long as those officers are publicly funded. BWCs funding for SROs may be used by school district police or by municipal, county, state, or tribal law enforcement that assign SROs to local schools.

**12. Are public and/or private universities eligible to apply for funding for campus police or security officers?**

Publically funded universities and colleges are eligible for funding provided that they operate their own independent police or campus security program that employs sworn and authorized as law enforcement officers. This applies to state funded universities as well as universities or community colleges funded by tribal, county or municipal governments. Private universities are not eligible for

BWC-PIP funding.

**13. Are specialized police jurisdictions such as park police and transit police agencies eligible to apply for funding for their officers?**

Specialized police agencies or authorities are eligible if they meet the following three conditions: (1) they are publicly funded agencies of state government, units of local government, and federally recognized Indian tribal governments that perform law enforcement functions (as determined by the Secretary of the Interior); or any department, agency, or instrumentality of the foregoing that performs criminal justice functions; (2) the applicant agency employs its own independent officers; and (3) those officers are sworn and authorized to perform law enforcement functions.

## **Questions Related to Budget**

**14. Is there a match requirement?**

Yes, federal funds awarded under this solicitation may not cover more than 50 percent of the total costs of the project. Applicants must identify the source of the 50 percent non-federal portion of the total project costs and how they will use these matching funds.

If a successful applicant's proposed match exceeds the required match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit. ("Match" funds may be used only for purposes that would be allowable for the federal funds.) Recipients may satisfy this match requirement with either cash or in-kind services. See the most recent [DOJ Grants Financial Guide](#) for examples of "in-kind" services.

Examples of formulas for calculating match can be found under the Budget Information: Cost Sharing or Matching Requirement (cash or in-kind) heading in the solicitation (on page 12).

**15. What qualifies as a match for the BWCPIP Program?**

There are two kinds of matches:

- a. A cash match (hard) includes cash spent for project-related costs. An allowable cash match must include costs which are allowable with Federal funds, except acquisition of land, when applicable.
- b. An in-kind match (soft) includes, but is not limited to, the valuation of non-cash contributions. "In-kind" may be in the form of services, supplies, real property, and equipment.

With an in-kind match, the organization can use the value of donated services to comply with the match requirement. Also, third party in-kind contributions may count toward satisfying match requirements, provided the recipient of the contributions expends them as allowable costs. For more information please see the most recent [DOJ Grants Financial Guide](#).

**16. To meet the match requirements, can an agency combine both in-kind and cash match funds?**

Yes, the match can include both cash and in-kind match funds. All matches should be monetized and listed in the applicant's budget and budget narrative.

**17. Can an agency meet the 50 percent match by providing funds for data storage?**

Yes, data storage costs may be used to meet the match requirement. As stipulated in the solicitation (page 7), however, federal grant funds cannot be applied to data storage costs, with an exception for situations in which BWC systems are bundled or sold as software-as-a-service (SAAS) with no line- item distinction for data storage costs.

**18. What are the budget requirements for grants with sub-recipient agencies?**

The primary or lead applicant should submit all proposed funds (federal and match) within a single budget using the appropriate budget forms. The sub-recipients agency should not submit a separate budget.

If funds are allocated the primary applicant is responsible for all grant administration and will be responsible for drawing down the funds and transferring the funds to the sub-recipient agency or agencies.