



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP) [Bureau of Justice Assistance](#) (BJA) is pleased to announce that it is seeking applications for funding under the Ensuring Procedural Justice Throughout the Adjudication Process Program. This program furthers the Department's mission by improving criminal court systems.

Ensuring Procedural Justice Throughout the Adjudication Process: Pretrial Reform, High Performance Prosecution, and Smarter Sentencing Practices FY 2012 Competitive Grant Announcement

Eligibility

Eligible applicants are limited to for-profit (commercial) organizations, nonprofit organizations, and institutions of higher learning that support national initiatives to improve the functioning of the criminal justice system. For-profit organizations must agree to waive any profit or fees for services. Applicants are strongly encouraged to submit an application that shows partnerships with key organizations in order to build strong working relationships among those working at a national level in the criminal justice field.

BJA may elect to make awards for applications submitted under this solicitation in future fiscal years, dependent on the merit of the applications and on the availability of appropriations in future years.

Deadline

Applicants must register with [Grants.gov](#) prior to submitting an application. (See "How To Apply," page 11.) All applications are due by 11:59 p.m. eastern time on May 24, 2012. (See "Deadlines: Registration and Application," page 3.)

Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, or via e-mail to support@grants.gov.

Note: The [Grants.gov](#) Support Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

For assistance with any other requirement of this solicitation, contact the BJA Justice Information Center at 1-877-927-5657, via e-mail to JIC@telesishq.com, or by [live web chat](#). The BJA Justice Information Center hours of operation are 8:30 a.m. to 5:00 p.m. eastern time, Monday through Friday, and 8:30 a.m. to 8:00 p.m. eastern time on the solicitation close date.

Grants.gov number assigned to announcement: BJA-2012-3287

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Ensuring Procedural Justice Throughout the Adjudication Process: Pretrial Reform, High Performance Prosecution, and Smarter Sentencing Practices (CFDAs #16.751 and 16.738)

Overview

Through this FY 2012 grant announcement BJA will support national initiatives to improve the functioning of the criminal justice system, in particular to provide training and technical assistance (TTA) to jurisdictions engaged in pretrial reform efforts, High Performance Prosecution (HPP) Framework Implementation initiatives, and the use of research-based practices to inform sentencing decisions. This program is funded under the Edward Byrne Memorial Competitive Grant Program (Byrne Competitive Program) and the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. Authorized by Pub. L. No.112-55, 125 Stat. 552, 615, the Byrne Competitive Program helps communities improve the functioning and capacity of state and local criminal justice systems and provides for national support efforts including training and technical assistance programs strategically targeted to address local needs. Funds may not be used for the acquisition of land, construction projects, or security enhancements or equipment to non-governmental entities not engaged in law enforcement, law enforcement support, criminal or juvenile justice, or delinquency prevention. The JAG Program (42 U.S.C. 3751(a), *et seq.*) is the primary provider of federal criminal justice funding to state and local jurisdictions, and JAG funds support all components of the criminal justice system. The JAG Program also authorizes a 3 percent set-aside for training and technical assistance.

Deadlines: Registration and Application

Applicants must register with Grants.gov prior to submitting an application. OJP encourages applicants to register several weeks before the application submission deadline. The deadline to apply for funding under this announcement is 11:59 p.m. eastern time on May 24, 2012. See the "How To Apply" section on page 11 for details. Note on the date submissions are due, staff assistance through the BJA Justice Information Center is only available until 8:00 p.m. eastern time (see "Contact Information" on the title page for more information about BJA's Justice Information Center).

Eligibility

Refer to the title page for eligibility under this program.

Ensuring Procedural Justice Throughout the Adjudication Process— Specific Information

The Ensuring Procedural Justice Throughout the Adjudication Process Program, administered by BJA, helps improve criminal justice systems. This program supports funding for national program efforts, such as TTA, to address the needs of state and local justice systems and communities. The FY 2012 program will focus on funding efforts in three major national TTA categories: support of pretrial reform efforts, the implementation of HPP Framework initiatives, and use of research-based practices to inform sentencing decisions.

Goals, Objectives, and Deliverables

Under this solicitation, BJA seeks to improve and elevate the functioning of the criminal justice system (with specific emphasis relating to the adjudication process) by assisting state and local jurisdictions and tribal governments to ensure procedural fairness in the criminal justice system. This is achieved by focusing on improving the operation and functioning of the courts.

Category 1: National Training and Technical Assistance: Pretrial Initiative. Competition ID: BJA-2012-3288.

BJA expects to make one award under Category 1 for up to \$1,000,000. The project period is 24 months, and the project start date should be on or after October 1, 2012.

Despite historic decreases in crime over the past several decades, jail populations have remained at historically high levels or increased. Jail costs often rival Medicaid costs as the highest growth factor in municipal and county budgets at the local level. Jails are often overcrowded with low level arrestees who cannot make bail. Many are drug addicted or suffer from physical and mental disabilities, and are detained in jails which are not equipped to provide treatment or services. The implementation of effective reforms to pretrial detention practices could play a central role in addressing these current challenges.

In addition, research has demonstrated that detained defendants receive more severe sentences, are offered less attractive plea bargains and are more likely to become "reentry" clients because of their pretrial detention—regardless of charge or criminal history.¹ BJA's efforts to address procedural justice issues in the pretrial arena have resulted in the initiation of pretrial reforms across the country. The goal of this initiative is to improve the cost effectiveness and conditions of our nation's jails as well as the administration of justice by facilitating pretrial reform efforts on a broad geographic and jurisdictional scale. This funding will support the provision of education and technical assistance to justice systems engaged in pretrial reform efforts at a multi-county, state, or regional level.

¹ J.S. Goldkamp, "Two classes of accused: A study of bail and detention in America." Cambridge, MA: Ballinger Publishing Company, 1979; Anne Rankin, "The Effects of Pretrial Detention," *New York University Law Review*, Volume 39, 1964; Patricia Wald, "The Right to Bail Revisited: A Decade of Promise Without Fulfillment," in Stuart S. Nagel, ed. *The Rights of the Accused*, Beverly Hills, CA: Sage Publications, 1972; William M. Landes, "Legality and Reality: Some Evidence on Criminal Procedure," *Journal of Legal Studies*, Volume 3, 1974; Hans Zeisel, "Bail Revisited," *American Bar Foundation Research Journal*, 1979; John S. Goldkamp, *Two Classes of Accused*, Cambridge, MA: Ballinger Publishing Company, 1979; Stevens H. Clarke and Susan T. Kurtz, "The Importance of Interim Decisions to Felony Trial Court Dispositions," *Journal of Criminal Law and Criminology*, Volume 74, 1983; and Michael R. Gottfredson and Don M. Gottfredson, *Decision Making in Criminal Justice: Toward a Rational Exercise of Discretion*, New York, NY: Plenum Press, 1988.

Applicants are solicited to produce all of the following deliverables:

1. Coordinate and provide networking venues and opportunities for jurisdictions that are currently engaged in pretrial reform efforts, such as hosting and facilitating education sessions on a state or regional level and providing peer-to-peer mentoring opportunities for criminal justice professionals engaging in pretrial justice reform.
2. Provide training and assistance to jurisdictions that have the capacity to implement change in the pretrial justice arena. Specific examples include skills training for pretrial services providers and training on pretrial justice-related issues for key stakeholders (prosecutors, defense attorneys, pretrial services professionals, correctional personnel, law enforcement personnel, victim advocacy professionals).
3. Assist in managing and continuing the work of the National Pretrial Working Group and its subcommittees. Information about the working group and subcommittees can be found at www.pretrial.org/working.html.
4. Provide 1-year fellowships to one defense attorney and one prosecuting attorney, who will receive small stipends per month, to liaison with the National Pretrial Working Group to educate their constituents and promote safe, fair, and effective pretrial practices at national, regional and state conferences, trainings and events.
5. Coordinating all TTA service engagements with BJA's National Training and Technical Assistance Center.

Category 2: Enhancing Community Prosecution through the National High Performance Prosecution (HPP) Framework Initiative. Competition ID: BJA-2012-3289.

BJA expects to make one award under Category 2 for up to \$700,000. The project period is 24 months, and the project start date should be on or after October 1, 2012.

The HPP Framework is a new model for prosecutors, published by BJA and the Association of Prosecuting Attorneys (APA) in January 2012, and can be found at www.apainc.org/files/DDF/APA%20High%20Performance%20%20Framework%20FINAL.pdf.

In addition, a national HPP curriculum for prosecutors is currently being developed under a separate BJA initiative.

The goal of the HPP Framework Initiative is to promote informed decision making by prosecutors and provide them with additional resources to increase their effectiveness. Key components of the HPP framework include the following:

- **Community Prosecution:** A high-performance office embraces community prosecution and uses its strategies to prevent crime while reducing incarceration, promote the successful reentry of ex-offenders into the community, engage in restorative justice, address more serious crime as well as “quality of life” problems, and respond quickly to ever-changing conditions.
- **Use of Science and Technology:** A high-performance office harnesses the latest advancements in science and technology and uses them as crime fighting tools and evidence in the courtroom.

- **Information Sharing:** A high-performance office implements new technologies to improve data collection and analysis, share information with other agencies and the public, and ensure that decision-making is driven by data.
- **Outcome Evaluation:** A high-performance office recognizes the value of outcome evaluation and employs it to gauge and improve the effectiveness of crime prevention and reduction efforts.

Applicants are solicited to produce all of the following deliverables:

1. Hold two roundtables dedicated to developing publications on two key components of the HPP Framework: “Community Prosecution (CP) in Today’s World” and “Outcome Evaluation.” The publications will provide strategies and examples that enable prosecutor’s offices around the nation to adopt the HPP Framework and evaluate its associated outcomes and effectiveness.
2. Provide implementation support to local jurisdictions initiating adoption of the HPP Framework. This includes providing jurisdictions with TTA, regional trainings, and peer-to-peer mentoring opportunities.
3. Establish partnerships with the Department of Justice’s Office of Community Oriented Policing Services (COPS) and the International Association of Chiefs of Police (IACP) to train and implement Intelligence-Led Community Prosecution, Community Policing, and Community Partnerships (ILCP3), an approach based on the comprehensive integration of prosecution, law enforcement and community partnerships to analyze problems and formulate solutions. The foundation for IL3CP is built on the established organizational structure of the [Rockland County, New York, District Attorney’s Office \(RCDAO\)](#), which has tied together the concepts of community policing, [community prosecution](#), community partnerships, and intelligence-led policing. IL3CP has fostered significant across-the-board reductions in serious crime, dramatic in several offense classes, since its inception in 2008. Notably, the initial implementation of IL3CP did not require any additional staff or funding for the RCDAO or local law enforcement agencies in Rockland County. Information about IL3CP can be found at www.theiacp.org/PublicationsGuides/Projects/IntelligenceLedCommunityPolicing/tabid/1006/Default.aspx.
4. Host the 8th Annual Community Prosecution conference in partnership with BJA.
5. Coordinate all TTA service engagements with BJA’s National Training and Technical Assistance Center.

Category 3: National Training And Technical Assistance: Smarter Sentencing to Reduce Recidivism. Competition ID: BJA-2012-3290.

BJA expects to make one award in Category 3 for up to \$250,000. The project period is 12 months, and the project start date should be on or after October 1, 2012.

A significant number of criminal justice professionals have limited knowledge about the research supporting the most effective strategies for reducing offender recidivism. As a result, the research is rarely applied during the adjudication of cases. However, there has recently been a growing recognition, in part as a result of the proliferation of problem-solving courts, that it is the

plea negotiation and sentencing decision—which includes the charging of offenders and the setting of sanctions and conditions—where the research can have the greatest impact on recidivism and successful offender reentry into the community.

The project goals are to foster the implementation of smarter sentencing practices and to increase awareness/understanding of the research that supports successful offender rehabilitative efforts. Applications will provide TTA to state, local, and tribal jurisdictions that focus on the use of research-based practices to inform sentencing decisions in order to improve offender outcomes and reduce recidivisms.

Applicants are solicited to produce all of the following deliverables:

- Educate practitioners such as prosecutors, judges, defenders, and community corrections professionals on the research supporting smarter sentencing through training curriculum, publications, and distance learning tools.
- Provide at least three regional training workshops to educate multi-disciplinary teams from states, local, and tribal jurisdictions on how to apply smarter sentencing strategies.
- Assist jurisdictions with the implementation of smarter sentencing strategies through onsite and offsite technical assistance, webinars, and other types of technical assistance (i.e., CD-ROMs, toolkits, etc.).
- Coordinate all TTA service engagements with BJA's National Training and Technical Assistance Center.

Evidence-Based Programs or Practices

BJA will give priority consideration to those applications employing evidence-based programs and practices. OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence (generally obtained through one or more outcome evaluations). Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. OJP's CrimeSolutions.gov web site is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

Amount and Length of Awards

See the specific categories to which you are applying for the anticipated number of awards, amount of funding, and expected project period for each initiative.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

Budget Information

Match Requirement

This solicitation does not require a match. However, if a successful application proposes a voluntary match amount, the match amount incorporated into the OJP-approved budget becomes mandatory and subject to audit.

Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000 made under this solicitation, federal funds may not be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the Federal Government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. The 2012 salary table for SES employees is available at www.opm.gov/oca/12tables/indexSES.asp. Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the Assistant Attorney General (AAG) for OJP. An applicant requesting a waiver should include a detailed justification in the budget narrative of its application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit its budget.

The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

Minimization of Conference Costs

No OJP funding can be used to purchase food and/or beverages for any meeting, conference, training, or other event. Exceptions to this restriction may be made only in cases where such sustenance is not otherwise available (i.e., extremely remote areas), or where a special presentation at a conference requires a plenary address where there is no other time for sustenance to be obtained. Such an exception would require prior approval from OJP. This restriction does not apply to water provided at no cost, but does apply to any and all other refreshments, regardless of the size or nature of the meeting. Additionally, this restriction does not impact direct payment of per diem amounts to individuals in a travel status under your organization's travel policy.

Updated Department of Justice and OJP guidance on conference planning, minimization of costs, and conference cost reporting will be forthcoming and will be accessible on the OJP web site at www.ojp.usdoj.gov/funding/funding.htm.

Costs Associated with Language Assistance (if applicable)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits by individuals with limited English proficiency may be allowable costs. Reasonable

steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the "Civil Rights Compliance" section of the OJP "Other Requirements for OJP Applications" web page (www.ojp.usdoj.gov/funding/other_requirements.htm).

Performance Measures

To assist the Department in fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, applicants that receive funding under this solicitation must provide data that measure the results of their work done under this solicitation. Any award recipient will be required, post award, to provide the data requested in the "Data Grantee Provides" column so that OJP can calculate values for the "Performance Measures" column. Performance measures for this solicitation are as follows:

Objective	Performance Measure(s)	Data Grantee Provides
<p>Support the implementation of effective reforms to pretrial detention practices by providing education and technical assistance to criminal justice practitioners engaged in pretrial justice.</p>	<p>Number of participants who attend the training</p> <p>Percentage of participants who successfully completed the training</p> <p>Percentage of participants who rated the training as satisfactory or better</p> <p>Percentage of participants trained and subsequently demonstrated performance improvement</p> <p>Percentage of organizations that rated the training as satisfactory or better</p> <p>Number of curricula developed</p> <p>Number of curricula that were pilot tested</p> <p>Percentage of curricula that were revised after pilot testing</p>	<p>For the current reporting period, the number of individuals who:</p> <ul style="list-style-type: none"> • Started the training • Completed the training • Completed an evaluation at the conclusion of the training • Completed an evaluation and rated the training as satisfactory or better • Completed a pre and post-test • Completed the post-test with an improved score over their pre-test <p>Number of organizations that:</p> <ul style="list-style-type: none"> • Received training CD/DVDs • Received training CD/DVDs that responded to the survey • Rated the training CD/DVD as satisfactory or that the training CD/DVD met their training needs <p>Number of training curricula:</p> <ul style="list-style-type: none"> • Developed • Pilot tested • Revised after being pilot tested
<p>.</p>	<p>Percentage of requesting agencies of other onsite services who rated the services provided as satisfactory or better</p>	<p>During the current reporting period:</p> <ul style="list-style-type: none"> • Number of other onsite services provided • Number of requesting agencies who completed an evaluation of other onsite services • Number of requesting agencies who rated other onsite services as

	<p>Percentage of agencies that implemented one or more recommendations</p> <p>Percentage of agencies that rated the services provided as satisfactory or better</p> <p>Percentage of individuals receiving peer visits who reported that the visit to the other agency was useful in providing information on policies or practices.</p> <p>Percentage of individuals receiving peer visits who implemented one or more policies or practices 6 months after they were observed.</p>	<p>satisfactory or better in terms of timeliness and quality following completion of an onsite visit</p> <ul style="list-style-type: none"> • Number of reports submitted to requesting agencies after onsite visits • Number of requesting agencies that were planning to implement at least some of the report recommendations 6 months after the onsite visit • Number of onsite visits completed • Number of requesting agencies who completed an evaluation of services • Number of requesting agencies of onsite services who rated the services provided as satisfactory or better • Number of peer-to-peer visits completed • Number of individuals who received peer visits who completed an evaluation • Number of individuals who received peer visits who reported that the visit was useful in providing information on policies and practices. • Number of individuals who received peer visits who implemented one or more policies or practices 6 months after they were observed
	<p>Number of conferences or forums held</p> <p>Percentage of advisory/focus groups evaluated as satisfactory or better</p> <p>Percent of web sites developed and maintained</p> <p>Number of publications developed</p>	<p>For current reporting period:</p> <p>Number of working groups held</p> <p>Number of working group attendees who completed an evaluation</p> <p>Number of working group attendees rated the working group as satisfactory or better</p> <p>Number of documents produced as a result of working groups</p> <p>Number of documents disseminated to the field as a result of working groups</p> <p>Number of web sites developed</p> <p>Number of web sites maintained</p> <p>Number of visits to web sites</p> <p>Number of publications developed</p>

	Number of publications disseminated	Number of publications disseminated
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Submission of performance measures data is not required for the application. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Refer to the section “What an Application Should Include” on page 14 for additional information.

Note on Project Evaluations

Applicants that propose to use funds awarded through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute “research” for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP’s performance measure data reporting requirements likely do not constitute “research.” Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, “a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge” 28 C.F.R. § 46.102(d). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the “Research and the Protection of Human Subjects” section of the OJP “Other Requirements for OJP Applications” Web page (www.ojp.usdoj.gov/funding/other_requirements.htm). Applicants whose proposals may involve a research or statistical component also should review the “Confidentiality” section on that Web page.

Notice of Post-Award FFATA Reporting Requirement

Applicants should anticipate that OJP will require all recipients (other than individuals) of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at www.fsrs.gov.

Note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

How To Apply

Applications will be submitted through Grants.gov. Grants.gov is a “one-stop storefront” that provides a unified process for all customers of federal awards to find funding opportunities and apply for funding. Complete instructions on how to register and submit an application can be

found at www.Grants.gov. If the applicant experiences technical difficulties at any point during this process, call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, 24 hours a day, 7 days a week, except federal holidays. Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take up to several weeks** for first-time registrants to receive confirmation and a user password. OJP highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the specified application deadline.

All applicants are required to complete the following steps:

1. **Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their applications for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling Dun and Bradstreet at 866-705-5711 or by applying online at www.dnb.com. A DUNS number is usually received within 1-2 business days.
2. **Acquire or renew registration with the Central Contractor Registration (CCR) database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the CCR database. An applicant must be registered in the CCR to successfully register in Grants.gov. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Note, however, that applicants must **update or renew their CCR registration annually** to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.
3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. The applicant organization's DUNS number must be used to complete this step. For more information about the registration process, go to www.grants.gov/applicants/get_registered.jsp.
4. **Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. Note that there can be more than one AOR for the organization.
5. **Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) numbers for this solicitation are 16.751 and 16.738, titled "Edward Byrne Memorial Competitive Grant Program" and "Edward Byrne Memorial Justice Assistance Grant (JAG) Program" respectively, and the funding opportunity number is BJA-2012-3287.

6. **Select the correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. If applying to a solicitation with multiple Competition IDs, select the appropriate Competition ID for the intended purpose area of the application.
7. **Complete the Disclosure of Lobbying Activities.** All applicants must complete this information. An applicant that expends any funds for lobbying activities must provide the detailed information requested on the form, *Disclosure of Lobbying Activities*, (SF-LLL). An applicant that does not expend any funds for lobbying activities should enter "N/A" in the required highlighted fields.
8. **Submit an application consistent with this solicitation by following the directions in Grants.gov.** Within 24–48 hours after submitting the electronic application, the applicant should receive an e-mail validation message from Grants.gov. The validation message will state whether the application has been received and validated, or rejected, with an explanation. **Important:** Applicants are urged to submit applications **at least 72 hours prior** to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused a rejection notification.

Note: Grants.gov will forward the application to OJP's Grants Management System (GMS). GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

Note: Duplicate Applications

If an applicant submits multiple versions of an application, BJA will review the most recent version submitted.

Experiencing Unforeseen Grants.gov Technical Issues

If an applicant experiences unforeseen Grants.gov technical issues beyond the applicant's control that prevent submission of its application by the deadline, the applicant must e-mail the BJA Justice Information Center contact identified in the Contact Information section on page 1 **within 24 hours after the application deadline** and request approval to submit its application. The applicant must include in the e-mail: a description of the technical difficulties, a timeline of submission efforts, the complete grant application, the applicant DUNS number, and Grants.gov Help Desk tracking number(s) the applicant has received. **Note: Requests are not automatically approved by BJA.** After the program office reviews all of the information submitted, and contacts the Grants.gov Help Desk to validate the technical issues reported, OJP will contact the applicant to either approve or deny the request to submit a late application. If the technical issues reported cannot be validated, the application will be rejected as untimely.

The following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time, (2) failure to follow Grants.gov instructions on how to register and apply as posted on its Web site, (3) failure to follow all of the instructions in the OJP solicitation, and (4) technical issues experienced with the applicant's computer or information technology (IT) environment, including firewalls.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP funding web page at www.ojp.usdoj.gov/funding/solicitations.htm.

What an Application Should Include

Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

Moreover, applicants should anticipate that applications that are unresponsive to the scope of the solicitation, or that do not include application elements designated by BJA to be critical, will neither proceed to peer review nor receive further consideration. Under this solicitation, BJA has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet, and Budget Narrative. The Budget Narrative and the Budget Detail Worksheet may be combined in one document. However, if only one document is submitted, it must contain **both** narrative and detail information.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet and Budget Narrative," "Timelines," "Memoranda of Understanding," "Resumes") for all attachments. OJP recommends that resumes be included in a single file.

1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and GMS take information from the applicant's profile to populate the fields on this form. When selecting "type of applicant," if the applicant is a for-profit entity, select "For-Profit Organization" or "Small Business" (as applicable).

2. Program Abstract and Narrative

Applicants should provide a one-page abstract that clearly identifies the following:

- The category to which the applicant is applying.
- Amount of federal funds requested and proposed project period.
- Goals, objectives, and brief description of the project.

The abstract should be double-spaced, using a standard 12-point font (Times New Roman is preferred) with 1-inch margins, and should not exceed 1 page.

The program narrative must respond to the solicitation and the Selection Criteria (1-4) in the order given. Applicants must meet the requirements of the category under which they are applying as described in the Ensuring Procedural Justice Throughout the Adjudication Process—Specific Information section.

The program narrative also must address the applicant's ability to collect and report all required performance measurement data.

The program narrative should be double-spaced, using a standard 12-point font (Times New Roman is preferred) with 1-inch margins, and should not exceed 15 pages. Number pages "1 of 15," "2 of 15," etc.

If the program narrative fails to comply with these length-related restrictions, noncompliance may be considered in peer review and in final award decisions.

The following sections should be included as part of the program narrative:

- a. Statement of the Problem
- b. Project Design and Implementation
- c. Capabilities and Competencies
- d. Plan for Collecting the Data Required for this Solicitation's Performance Measures
Submission of performance measures data is not required for the application. Performance measures are included as an alert that successful applicants will be required to submit specific data to BJA as part of their reporting requirements. For the application, the applicant should indicate an understanding of these requirements and discuss how the applicant will gather the required data, should the applicant receive funding.

3. Budget Detail Worksheet and Budget Narrative

a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at www.ojp.gov/funding/forms/budget_detail.pdf. If the budget is submitted in a different format, the budget categories listed in the sample budget worksheet should be included.

For questions pertaining to budget and examples of allowable and unallowable costs, see the OJP Financial Guide at www.ojp.usdoj.gov/financialguide/index.htm.

b. Budget Narrative

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. Proposed budgets are expected to be complete; reasonable and allowable; cost effective; and necessary for project activities. The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how all costs were estimated and calculated and how they are relevant to the completion of the proposed project. The narrative may include tables for clarification purposes but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should be broken down by year.

Applicants must substantiate the need for all equipment budgeted.

4. Indirect Cost Rate Agreement (if applicable)

Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. (This requirement does not apply to units of local government.) A copy of the rate approval should be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant federal agency, which will review all documentation and approve a rate for the applicant organization or, if the applicant's accounting system permits, costs may be allocated in the direct cost categories. If DOJ is the cognizant federal

agency, obtain information needed to submit an indirect cost rate proposal at www.ojp.usdoj.gov/funding/pdfs/indirect_costs.pdf.

5. Tribal Authorizing Resolution (if applicable)

If an application is being submitted by either (1) a tribe or tribal organization or (2) a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its membership should be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application should include a resolution (or comparable legal documentation, as may be applicable) from all tribes that will be included as a part of the services/assistance provided under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without authorizing resolution or other enactment of each tribal governing body) may submit a copy of its consortium bylaws with the application in lieu of tribal resolutions (or comparable legal documentation).

If an applicant is unable to obtain and submit with its application a fully-executed (*i.e.*, signed) copy of a tribal resolution or other, comparable legal documentation as may be consistent with the tribe's governance structure, then, at minimum, the applicant should submit an unsigned, draft version of such legal documentation as part of its application (except in cases where, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, use of and access to funds will be contingent on receipt of the fully-executed tribal resolution or other, comparable legal documentation.

6. Additional Attachments: Project Time and Task Plan, Memoranda/Letters of Support, Job Descriptions, and Resumes

Attach a Project Time and Task Plan with each project goal, related objective, activity, expected completion date, and responsible person or organization; Memoranda of Understanding or Letters of Support, if applicable; Job Descriptions that outline the roles, responsibilities, and qualifications for all key positions; and Resumes for staff identified for these positions, if known.

7. Other Standard Forms

Additional forms that may be required in connection with an award are available on OJP's funding page at www.ojp.usdoj.gov/funding/forms.htm. For successful applicants, receipt of funds may be contingent upon submission of all necessary forms. Note in particular the following forms:

a. [Standard Assurances](#)

Applicants must read, certify, and submit this form in GMS prior to the receipt of any award funds.

b. [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)

Applicants must read, certify and submit in GMS prior to the receipt of any award funds.

- c. [Accounting System and Financial Capability Questionnaire](#) (required for any applicant other than an individual that is a non-governmental entity and that has not received any award from OJP within the past 3 years; this form must be downloaded, completed, and submitted)

Selection Criteria

The following five selection criteria will be used to peer review each application, with the different weight given to each based on the percentage value listed after each individual criterion. For example, the first criterion, "Statement of the Problem," is worth 10 percent of the entire score in the application review process.

1. Statement of the Problem (10 percent of 100)

Identify the problem to be addressed by the project. Provide specific data where available.

2. Project Design and Implementation (35 percent of 100)

Describe how the project will address the category-specific description listed on pages 4-7. Provide its design and proposed implementation that will result in the category-specific deliverables. Tie project activities/deliverables to goals and objectives in the program design. In addition, the required project time and task plan should identify each project activity (all category-specific deliverables must be included), expected completion date, and responsible person or organization.

3. Capabilities and Competencies (30 percent of 100)

Fully describe the applicant's capabilities to implement the project and the competencies of the staff assigned to the project.

Category 1 applicants must demonstrate they have experience in leading national efforts that inform and assist jurisdictions in implementing evidenced-based pretrial practices that address procedural fairness in the criminal justice system. Such experience must include that which demonstrates the applicant's ability to manage a network of pretrial professionals and support peer-to-peer mentoring approaches nationwide. Successful applicants will have provided data-driven technical assistance in examining jail overcrowding challenges and proposing policies and practices to address the problem. Applicants must provide specific examples of training and education programs that they have delivered to criminal justice professionals to instruct systems on how they can move from a costly pretrial system to one that is cost effective, safe, and procedurally fair. Finally, the applicant must describe their clearly defined plan for their successful management of the pretrial fellowship program.

Category 2 applicants must demonstrate extensive knowledge of and national experience working with prosecutors, including county prosecuting attorneys and city attorneys, and the ability to develop resource tools that prosecutors can use to implement innovative, evidenced-based practices. Applicants should document examples of their ability to develop and host national and regional conferences, conduct local and regional trainings, and provide peer-to-peer mentoring assistance to inform data-driven prosecuting initiatives.

Category 3 applicants must demonstrate extensive knowledge of and national experience with evidence-based or research-based sentencing practices for judges, prosecutors, community corrections, and other criminal justice practitioners. Applicants should demonstrate the ability to develop resource tools or toolkits that judges, prosecutors, and

other criminal justice practitioners can use to implement innovative, evidenced-based, or research-based sentencing practices. Applicants should document examples of their ability to develop and host national and regional conferences, conduct local and regional trainings, and provide peer-to-peer mentoring assistance to inform data-driven sentencing decisions.

4. Plan for Collecting the Data Required for this Solicitation's Performance Measures (10 percent of 100)

Explain how the program's effectiveness will be demonstrated. For each performance measure selected, describe: 1) what data will be collected and how, 2) how it will be assessed/analyzed, and 3) the process for reporting the findings and outcomes.

5. Budget (15 percent of 100)

Provide a proposed budget that is reasonable and allowable; cost effective; and necessary for project activities. The budget must support the strategies and approaches outlined in the project design, and include a narrative to describe the expenditures under each cost area and how it will contribute to the overall program goals.

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. BJA may use either internal peer reviewers, external peer reviewers, or a combination, to review the applications under this solicitation. An external peer reviewer is an expert in the subject matter of a given solicitation who is NOT a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. Applications that meet basic minimum requirements will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with BJA, conducts a financial review of applications for potential discretionary awards to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the Budget Detail Worksheet and Budget Narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General (AAG), who also may give consideration to factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. OJP strongly encourages applicants to review the information pertaining to these additional requirements prior to submitting an application. Additional information for each requirement can be found at www.ojp.usdoj.gov/funding/other_requirements.htm.

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and the Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with Office of Justice Programs Financial Guide
- Suspension or Termination of Funding
- Nonprofit Organizations
- For-profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in Excess of \$5,000,000 – Federal Taxes Certification Requirement
- Active CCR Registration

Provide Feedback to OJP on This Solicitation

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, application submission process, and/or the application review/peer review process. Feedback can be provided to OJPSolicitationFeedback@usdoj.gov.

Application Checklist

Ensuring Procedural Justice Throughout the Adjudication Process

This application checklist has been created to assist in developing an application.

Eligibility Requirement:

- _____ Eligible applicants are limited to for-profit (commercial) organizations, nonprofit organizations, and institutions of higher learning that support national initiatives to improve the functioning of the criminal justice system. For-profit organizations must agree to waive any profit or fees for services.
- _____ The federal amount requested as determined by category: Category 1 - \$1,000,000; Category 2 - \$700,000; and Category 3 - \$ 250,000.

What an Application Should Include:

- _____ Application for Federal Assistance (SF-424) (see page 14)
- _____ Program Abstract and Narrative* (see page 14)
- _____ Budget Detail Worksheet* (see page 15)
- _____ Budget Narrative* (see page 15)
- _____ Disclosure of Lobbying Activities (SF-LLL) (see page 13)
- _____ Indirect Cost Rate Agreement (if applicable) (see page 15)
- _____ Tribal Resolution (if applicable) (see page 15)
- _____ Additional Attachments, including Project Time and Task Plan, Job Descriptions, and Resumes (see page 16)
- _____ Other Standard Forms as applicable (see page 16), including:
 - _____ Accounting System and Financial Capability Questionnaire (if applicable)

* These elements are the basic minimum requirements for applications. Applications that do not include these elements shall neither proceed to peer review nor receive further consideration by BJA.