**U.S. Department of Justice** Office of Justice Programs *Bureau of Justice Assistance* 



The <u>U.S. Department of Justice</u> (DOJ), <u>Office of Justice Programs</u> (OJP), <u>Bureau of Justice</u> <u>Assistance</u> (BJA) is seeking applications for the FY 2017 Body-Worn Camera Policy and Implementation Program. This program furthers the Department's mission by supporting the safe and fair administration of justice.

## Body-Worn Camera Policy and Implementation Program FY 2017 Competitive Grant Announcement Applications Due: February 16, 2017

## Eligibility

Eligible applicants are limited to public 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 (including combinations of the preceding, one of which is designated as the primary applicant).

BJA welcomes applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients ("subgrantees").<sup>1</sup> The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding and managing the entire Body-Worn Camera Policy and Implementation Program. Under this solicitation, only one application by any particular applicant entity will be considered. An entity may, however, be proposed as a subrecipient ("subgrantee") in more than one application.

BJA may elect to fund applications submitted under this FY 2017 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

If clarification as to an entity's eligibility is needed, applicants are encouraged to contact BJA to confirm their eligibility before developing a full application. BJA will consider supporting documentation relevant to a determination of eligibility.

<sup>&</sup>lt;sup>1</sup> For additional information on subawards, see "Budget and Associated Documentation" under <u>Section D.</u> <u>Application and Submission Information</u>.

### Deadline

Applicants must register with <u>Grants.gov</u> prior to submitting an application. All applications are due to be submitted and in receipt of a successful validation message in Grants.gov by 11:59 p.m. eastern time on February 16, 2017.

To be considered timely, an application must be submitted by the application deadline using Grants.gov, and the applicant must have received a validation message from Grants.gov that indicates successful and timely submission. OJP urges applicants to submit applications at least 72 hours prior to the application due date, in order to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP encourages all applicants to read this <u>Important Notice: Applying for Grants in</u> <u>Grants.gov</u>.

For additional information, see <u>How to Apply</u> in Section D. Application and Submission Information.

### **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 email to <u>support@grants.gov</u>. The <u>Grants.gov</u> Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must email the BJA contact identified below **within 24 hours after the application deadline** and request approval to submit its application. Additional information on reporting technical issues appears under "Experiencing Unforeseen Grants.gov Technical Issues" in the <u>How to Apply</u> section.

For assistance with any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 800-851-3420; via TTY at 301-240-6310 (hearing impaired only); email <u>grants@ncjrs.gov</u>; fax to 301-240-5830; or web chat at <u>https://webcontact.ncjrs.gov/ncjchat/chat.jsp</u>. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date.

Grants.gov number assigned to this solicitation: BJA-2017-11221

Release date: December 13, 2016

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## Body-Worn Camera Policy and Implementation Program

## (CFDA #16.835)

## A. Program Description

#### Overview

Law enforcement agencies across the country and worldwide are using body-worn cameras (BWC) as a promising tool to improve law enforcement interactions with the public. BWCs can provide a visual and audio record of interactions. Some preliminary evidence indicates that the presence of BWCs helps strengthen accountability and transparency, and can assist in de-escalating conflicts, resulting in more constructive encounters between the police and members of the community. This competitive solicitation is for law enforcement agencies seeking to **establish or enhance** BWC Policy and Implementation Programs (PIP). Successful applicants will be responsible for a mandatory 50 percent in-kind or cash match.

The FY 2017 BWC PIP will support the implementation of body-worn camera programs in law enforcement agencies across the country. The intent of the program is to help agencies develop, implement, and evaluate a BWC program as one tool in a law enforcement agency's comprehensive problem-solving approach to enhance officer interactions with the public and build community trust.

Successful applicants will develop and implement policies and practices required for effective program adoption, and will address program factors including the purchase, deployment, and maintenance of camera systems and equipment; data storage and access; and privacy considerations. BJA expects the BWC programs to make a positive impact on the quality of policing in these jurisdictions and to inform national efforts to improve the use of BWCs more broadly. While BWC equipment may be purchased under this program, successful applicants must demonstrate a commitment and adherence to a strong BWC policy framework, including comprehensive policy adoption and requisite training.

**Statutory Authority:** Any awards under this solicitation would be made under statutory authority provided by a full-year appropriations act for FY 2017. As of the writing of this solicitation, the Department of Justice is operating under a short-term "Continuing Resolution;" no full-year appropriation for the Department has been enacted for FY 2017.

#### **Program-Specific Information**

Law enforcement agencies' use of BWC programs has shown these cameras to be a promising practice to improve law enforcement's interactions with the public. These cameras are an important tool that could be an integrated part of a jurisdiction's holistic problem-solving and community-engagement strategy, helping to increase both trust and communication between the police and the communities they serve. BWCs can be highly effective, providing an objective audio and visual record of interactions that can capture empirical evidence in the event of a crime, police-citizen interaction, or use-of-force incident. Preliminary research indicates that departments that have effectively implemented BWC programs have received fewer public

complaints, file fewer use-of-force reports, and show a reduction in adjudicated complaints resulting in a decrease of settlements.

While research relating to BWCs is promising, current implementation methods vary widely and BWC deployment is often a complex balance between the overarching public safety goals and the technological, logistical, and policy challenges. Leading police membership organizations like the Police Executive Research Forum (PERF) and the International Association of Chiefs of Police (IACP), and federal agencies such as DOJ's Office of Community Oriented Policing Services (COPS) and OJP's Diagnostic Center, BJA, and National Institute of Justice (NIJ) have produced helpful guidance related to the complex privacy, officer safety, and policy issues involved in implementing this rapidly evolving technology:

- 1. BJA Body-Worn Camera Toolkit: <u>www.bja.gov/bwc</u>
- COPS/PERF Resource: <u>www.justice.gov/iso/opa/resources/472014912134715246869.pdf</u>
  IACP Resources: www.theiacp.org (search "Body Worn Camera")
- 4. OJP Diagnostics Center Resource: <u>www.ojpdiagnosticcenter.org/sites/default/files/spotlight/download/Police%20Officer%20</u> Body-Worn%20Cameras.pdf
- 5. National Institute of Justice Resource: <u>www.nij.gov/topics/law-</u> enforcement/technology/Pages/body-worn-cameras.aspx

#### Goals, Objectives, and Deliverables

BJA is soliciting applications from law enforcement agencies to develop a comprehensive, problem-solving approach that incorporates BWCs into officer practice by implementing a first-time program or enhancing an existing BWC program that includes the following elements:

- Implementation of a BWC program developed in a planned and phased approach that first achieves broad stakeholder, local political leadership, and community engagement, and then leverages partnership input to address policy, training, deployment, and procurement requirements.
- Implementation of appropriate privacy policies that, at a minimum, address BWC program issues involving civil rights, domestic violence, juveniles, and victims' groups, and legal liabilities of release of information.
- Implementation of operational procedures and tracking mechanisms that address the use, review, access, storage, retention, redaction, and expungement of digital voice and audio evidence.
- Training of officers, administrators, and associated agencies requiring access to digital multimedia evidence (DME).

Program funds are expected to support necessary collaboration with other justice stakeholders, such as citizen and community groups, prosecution, defense counsel, labor organizations (e.g., police unions), and the courts, to help ensure that an effective program is implemented. BJA requires that applicants develop a communication strategy for engaging with privacy and civil liberty advocacy groups to promote understanding of the program and obtain buy-in. Program funds may be used to engage and inform the public and victim, privacy, and civil liberty advocacy groups about how the applicant will use its BWC project as a part of a larger initiative to improve transparency and accountability in encounters between police and the public. The successful applicant will demonstrate it has evaluated its agency's existing evidence and practices related to

increasing accountability and transparency and will set goals and develop strategies (to include the use of BWCs) that will improve outcomes during police–citizen encounters.

Policy and practices should at minimum address technology usage, evidence acquisition, data storage and retention, as well as privacy issues, accountability, and discipline. They must also consider the impact of data collection and use on public trust and police legitimacy. Public record laws, which allow public access to information held by government agencies, including law enforcement, should also be evaluated and, when practicable, modified to protect the privacy of the individuals whose records they hold and to maintain the trust of the community. These policies and practices should at a minimum increase transparency and accessibility, provide appropriate access to information, allow for public posting of policy and procedures, and encourage community interaction and relationship building.

#### Special Condition for Policy Development and Planning:

Award recipients shall be required to work with the BJA-funded BWC training and technical assistance (TTA) provider as part of the policy development process review prior to full funding being released for procurement and implementation. The agencies are also encouraged to utilize the services of the TTA provider to assist in any areas of BWC policy development and implementation.

Agencies shall only have access to 10 percent of federal award funds for preliminary policy development and planning efforts prior to this review. Match funds should only be encumbered after an approved budget has been processed by BJA and received by the grantee.

The primary tool for policy development review is the BWC Policy Scorecard, which can be found on BJA's website, <u>https://www.bja.gov/bwc/pdfs/BWC-Scorecard-Instructions-and-Template.pdf</u>. Agencies are required to complete the scorecard process through the TTA provider prior to release of funds for implementation.

Agencies are also encouraged to contact the TTA provider via the contact information found on the TTA website, at <u>http://www.bwctta.com</u>, prior to application submission to ensure the agency understands the potential impacts of a BWC program. This funding opportunity does not cover long-term program and storage costs and BJA wants to ensure agencies understand the potential impact on their agency and agency budget.

Successful applicants will identify the methods by which they plan to address the "Considerations for Implementation" referenced in the COPS "Implementing a Body-Worn Camera Program" (see "Considerations for Implementation" section below). Additionally, the applicant will describe the existing or intended methods of establishing and measuring the success of the BWC program and the policies and practices required for a sustainable BWC program, including the relationships with associated agencies, advocates, and other interested parties. Funds for the expansion of existing programs should be used to support represented police agencies with body-worn cameras, the associated hardware, software licenses, and contractual agreements directly related to program creation or expansion. These funds should not be used to extend maintenance and support services for existing resources.

The Goals, Objectives, and Deliverables are directly related to the performance measures set out in the table in <u>Section D. Application and Submission Information</u>, under "Program Narrative."

Reimbursement for previously purchased cameras, other equipment, and contracts:

BJA only expects to fund new and expanding BWC programs; applications that seek reimbursement for previously purchased components are not being considered for this solicitation. See the **Pre-Agreement Cost Approvals** section on page 14.

**Data Storage Costs:** To ensure agencies establish program continuity this solicitation does not allow for federal reimbursement of data storage costs. BJA does recognize that BWC systems are often bundled or sold as software-as-a-service (SAAS) with no line-item distinction to data storage costs. Procurements with bundled costs, specifically no line-item storage costs, are permissible for reimbursement and the agency will not be asked to break out the costs.

#### CATEGORY 1: IMPLEMENTATION OR EXPANSION OF BWC PROGRAMS FOR SMALL AGENCIES.

#### Competition ID: BJA-2017-12240

This funding category seeks to establish new or expand existing BWC programs in police agencies with 25 or fewer sworn officers. Applicants may request no more than \$50,000 under this category. BJA estimates 40 awards will be made in this category for an estimated total amount of \$2,000,000.

#### **Funding Metric:**

There is a minimum request of \$10,000 for this category. If an agency does not require this level of funding they are encouraged to partner with other criminal justice agencies to combine projects and have one of the agencies act as the applicant while the partner agencies act as subrecipients.

This category is <u>not</u> restricted by the \$1,500 camera metric (see below), though peer reviewers and BJA will consider the cost ratio of requested funds to the number of body-worn cameras requested. All categories must follow the 50 percent funding match requirement.

#### CATEGORY 2: IMPLEMENTATION OR EXPANSION OF BWC PROGRAMS FOR MID-SIZED AGENCIES.

#### Competition ID: BJA-2017-12241

This funding category seeks to establish new or expand existing BWC programs in mid-sized police agencies with more than 25 sworn officers and up to 250 sworn officers. Applicants may request no more than \$400,000 under this category. BJA estimates 10 awards will be made in this category for an estimated total amount of \$4,000,000.

#### Funding Metric:

Applicants for this category may request no more than \$1,500.00 for each camera to be deployed in this phase of their BWC program, up to the agency size funding limitations (see below). Though funds are correlated to the number of cameras, **awarded funds may also be used for any part of the BWC program** other than line-item data storage costs, which can only be covered with matching funds. BWC systems that are bundled or sold as software-as-a-service (SAAS) with no line-item distinction to data storage costs are permissible for award funding.

## CATEGORY 3: IMPLEMENTATION OR EXPANSION OF BWC PROGRAMS FOR LARGE AGENCIES.

#### Competition ID: BJA-2017-12242

This funding category seeks to establish new or expand existing BWC programs in large police agencies with more than 250 and up to 1,000 sworn officers. Eight awards are anticipated, and applicants may request no more than \$750,000 for an estimated total amount of \$6,000,000 under this category.

#### Funding Metric:

Applicants for this category may request no more than \$1,500.00 for each camera to be deployed in this phase of their BWC program, up to the agency size funding limitations (see below). Though funds are correlated to the number of cameras, **awarded funds may also be used for any part of the BWC program** other than line-item data storage costs, which can only be covered with matching funds. BWC systems that are bundled or sold as software-as-a-service (SAAS) with no line-item distinction to data storage costs are permissible for award funding.

#### CATEGORY 4: IMPLEMENTATION OR EXPANSION OF BWC PROGRAMS FOR EXTRA-LARGE AGENCIES.

#### Competition ID: BJA-2017-12243

This funding category seeks to establish new or expand existing BWC programs in extra-large police agencies with more than 1,000 sworn officers. Five awards are anticipated, and applicants may request no more than \$1,000,000 for an estimated total of \$5,000,000 under this category.

#### **Funding Metric:**

Applicants for this category may request no more than \$1,500.00 for each camera to be deployed in this phase of their BWC program, up to the agency size funding limitations (see below). Though funds are correlated to the number of cameras, **awarded funds may also be used for any part of the BWC program** other than line-item data storage costs, which can only be covered with matching funds. BWC systems that are bundled or sold as software-as-a-service (SAAS) with no line-item distinction to data storage costs are permissible for award funding.

#### CAMERA-BASED FUNDING METRIC FORMULA FOR CATEGORIES 2, 3, and 4:

Number of Cameras in Project X \$1,500 = Max. Requested Funds

Max. Requested Funds + Matching Funds = Total Program Cost

• Note: \$1,500.00 is <u>not</u> the expected cost of a body-worn camera. Paired with the matching funds, it is the expected total program costs for one (1) camera system to include: Camera, Storage, Software, Licenses, Services, Policy Development, Training, etc.

Example 1:

An agency may request \$150,000 in funding for a 100-camera program (\$1,500 X 100), while actually only spending \$100,000 of awarded funds

on cameras; the other \$50,000 could be spent on planning and training staff. Additionally, the soft-match requirements could be met by line-item data storage and other agency costs and partner program expenses such as those incurred by prosecutors, defense bar, or community outreach.

#### Example 2:

Agencies could apply directly under a category based on the size of their agency, or they could partner with other agencies to bring the combined sworn officers count up to another category's minimum officer count.

#### Example 3:

An agency that applies for \$100,000 in federal funds will have to identify a minimum of \$100,000 of in-kind or cash matching funds. This means the total program cost is at least \$200,000 for this example.

Matching fund considerations are reviewed through the peer-review process and used in award determinations by BJA. If there are questions about the type or amount of matching funds being used, applicants are encouraged to contact the National Criminal Justice Reference Service (NCJRS) Response Center toll-free at 800-851-3420.

#### CONSIDERATIONS FOR IMPLEMENTATION:

Applicants are strongly encouraged to review the COPS "Implementing a Body-Worn Camera Program"<sup>2</sup> report. The successful applicant will demonstrate a thorough understanding and appreciation of the issues discussed and will incorporate the most important program design elements in their proposal.

All applicants must describe a detailed phased implementation plan for achieving the goals of the BWC PIP as part of their program narrative. The following elements, taken directly from the COPS report, must be included in this plan in order to receive funding consideration.

- Privacy considerations
- Impact on community relationships
- Addressing officer concerns (e.g., privacy, safety, administrative uses)
- Managing expectations of police agencies and the public
- Ensure partnerships with associated criminal justice agencies like prosecutors and the judiciary support effective implementation
- Financial considerations
- Technical specifications and considerations
- Use of data, training, and program evaluation

Prior to pursuing funding under this solicitation, evidence of cross-agency collaboration and a high level of commitment from participating agencies and entities should be received and documented (via memoranda of understanding or other appropriate mechanisms) because the primary focus of this program is implementation. Such commitment should be described in the

<sup>&</sup>lt;sup>2</sup> Miller, Lindsay, Jessica Toliver, and Police Executive Research Forum. 2014. *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned*. Washington, DC: Office of Community Oriented Policing Services. <u>www.justice.gov/iso/opa/resources/472014912134715246869.pdf</u>.

application and submitted as attachments with the application. Pre-implementation applicants are expected to focus on the planning of efforts and tasks to accomplish these goals, while applicants with existing implementations are expected to document how these goals were accomplished and/or plan to be improved.

#### **CONSIDERATIONS FOR PROCUREMENT:**

If awarded, grantees must ensure all funds, federal and match, expended through procurement processes are done using fair, competitive processes. Agencies shall not rely on informal testing of equipment (piloting) to determine equipment selection. Grantee testing and evaluation alone do not meet federal procurement standards. For more information on federal procurement please see <a href="http://ojp.gov/financialguide/DOJ/index.htm">http://ojp.gov/financialguide/DOJ/index.htm</a>. BJA has developed a <a href="http://oww.ewenttesting">BWC Request for Proposals</a> template that takes into account many of the primary considerations when procuring a BWC system. This requirement does not apply to funds that are for non-procurement based expenditures, such as officer training time.

#### **CONFERENCE TRAVEL REQUIREMENTS:**

All applicants must identify funding within their submitted budgets (requested federal funds or offered agency match) for two staff members to attend one mandatory national BWC PIP meeting in a location to be determined and one optional regional BWC PIP meeting. The applicants are also required to budget for staff to attend at least one of the regional BWC Conferences with similar expected costs. There are expected to be one national BWC PIP Conferences per year and two regional BWC PIP Conferences per year.

Conference travel costs will not be considered part of the \$1,500 camera metric that applies to categories 2, 3, and 4, though agencies must stay within their category's funding limit.

#### MANDATORY CATEGORY 1, 2, 3, AND 4 APPLICATION REQUIREMENTS:

Hint: Start this process early; previous applications have scored well but were rejected due to failure to produce these documents.

#### 1) Prosecutor Involvement:

APPLICANTS MUST ATTACH DOCUMENT(S) THAT DEMONSTRATE significant involvement of the local and/or state prosecutor's office, meaning that the prosecutor's office has a direct role with law enforcement in establishing relevant policy, system requirements that effect prosecution, evidence management, redaction, and retention specifications. Documentation of the prosecutor's involvement and commitment to the applicant's program is a requirement that will be reviewed through peer review and by BJA. Demonstration of this involvement shall be documented by either of the following methods:

- a. Documented proof of established, active, and mutually attended governance boards or committees focused on BWC policy and implementation;
- b. Or, by production of executed (signed) memoranda of understanding, letters of intent, service-level agreements, or other mutually signed documents <u>that clearly</u> <u>state the involvement and commitment</u> between the relevant parties.

#### 2) Use-of-Force Policy Review:

APPLICANTS MUST ATTACH DOCUMENT(S) THAT directly state that they have an existing, periodic use-of-force policy review or that their use-of-force policy and training will be reviewed and refined, as appropriate, as part of the development of BWC policies. Awarded applicants are required to have an implemented use-of-force policy prior to BJA

releasing implementation funding. This requirement will be evaluated by the BWC TTA provider and submitted to BJA as part of the special condition process. This affirmation should be written as a separate document and added as an attachment to the application submission. The agency is not required to submit their use-of-force policy as part of the application.

#### PRIORITY CONSIDERATIONS FOR APPLICATION SCORING:

- 1) **Partnerships:** Priority consideration will be given to applicants that demonstrate cost reductions through economies of scale.
  - Projects that provide economies of scale by establishing or utilizing shared resources. Examples of shared resources could be:
    - State, county, or regionally managed BWC system with a shared repository or other BWC services.
    - Shared contracts that meet local, state, and federal procurement requirements and increase the buying power through combined purchases. Economies of scale should be designed to maximize cost savings and increase interoperability between agencies and jurisdictions.
    - Minimized duplication of effort and infrastructure, such as providing a prosecutor that works with multiple law enforcement agencies with a single process for evidence submission, review, and management.
    - Multiple law enforcement agencies collaborating together on a single application.

When combining applications, one agency should act as the designated applicant but the agency size should be the combined number of sworn officers between all represented agencies. Specifically, if agency A has 200 sworn officers and agency B has 100 sworn officers, the applicants could submit for as much as \$750,000, the same as a mid-sized agency with 300 officers. Evidence of partnerships and commitment should be demonstrated in writing in the submitted application as attachments and will not be counted against the maximum page limitation.

2) Technical Considerations: For technical priority consideration the applicant should affirm that the <u>linked minimum technical requirements (click here)</u> will be used in order to maximize the usefulness of BWC technology. Priority consideration will be given to applicants that incorporate the 18 core operating characteristics found on the <u>National Institute of Justice website</u> in their procurement of BWC technology. These minimum operating characteristics and associated audio/video specifications are available in current commercial products and are based on technical resources about criminal justice use of video.<sup>3,4</sup>

It is not necessary for applicants to address each of these areas specifically in their proposal,

<sup>&</sup>lt;sup>3</sup> Home Office Centre for Applied Science and Technology, *Body-Worn Video Technical Guidance*, May 2014, <u>www.bwvsg.com/wp-content/uploads/2013/07/body-worn-video-technical-guidance-1414.pdf</u>.

<sup>&</sup>lt;sup>4</sup> Scientific Working Group on Imaging Technology, *Recommendations and Guidelines for Using Closed-Circuit Television Security Systems in Commercial Institutions*, Version 3.0, June 8, 2012, <a href="https://www.swgit.org/pdf/Section%204%20Recommendations%20and%20Guidelines%20for%20Using%20Closed-">www.swgit.org/pdf/Section%204%20Recommendations%20and%20Guidelines%20for%20Using%20Closed-</a>

Circuit%20Television%20Security%20Systems%20in%20Commercial%20Institutions?docID=48.

but in order to receive priority consideration the applicant must discuss how they will be incorporated into the agency's purchasing or procurement procedures.

#### PROGRAM DEVELOPMENT EXPECTATIONS:

As a guideline, in months 1-9, the PIP grantees will be expected to review and develop policies and training programs. The results of these activities will be evaluated to ensure that the topics in chapter two of the COPS "Implementing a Body-Worn Camera Program" report have been reviewed, considered, and addressed in a submitted request for equipment purchase drawdown, to include relevant implemented policies, memoranda of understanding, correspondence, and other supporting documentation. As every agency faces different challenges and applicable laws, BJA will not set standards for policies and procedures. Policies must conform to applicable federal, state, local, and tribal laws.

The TTA provider will work with the agency to document and validate the policy development process. The TTA provider will make recommendations to BJA that an agency has met the policy development requirements before BJA releases any award funds to the agency prior to implementation.

After completion of the policy development process and evaluation, the PIP grantees will be expected to deploy BWCs, continue their training efforts, and collect outcome measures to assess their BWC implementation. Agencies prepared to demonstrate implemented BWC policies that address the requisite areas may request drawdown for non-planning expenses outside of the timeframes provided, but only within the grant period.

#### **Evidence-Based Programs or Practices**

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates.
- Integrating evidence into program, practice, and policy decisions within OJP and the field.
- Improving the translation of evidence into practice.

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. The OJP <u>CrimeSolutions.gov</u> website is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

#### **B. Federal Award Information**

BJA estimates that it will make up to 63 awards, with an estimated total amount of \$17,000,000. All awards will be for a 24-month period of performance, beginning on October 1, 2017.

BJA may, in certain cases, provide additional funding in future years to awards under this solicitation, through supplemental awards. In making decisions regarding supplemental awards, OJP will consider, among other factors, the availability of appropriations, OJP's strategic priorities, and OJP's assessment of both the management of the award (for example, timeliness and quality of progress reports), and the progress of the work funded under the award.

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

#### Type of Award

BJA expects that any award under this solicitation will be made in the form of a grant. See <u>Administrative, National Policy, and Other Legal Requirements</u>, under <u>Section F. Federal Award</u> <u>Administration Information</u>, for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

#### **Financial Management and System of Internal Controls**

Award recipients and subrecipients (including any recipient or subrecipient funded in response to this solicitation that is a pass-through entity<sup>5</sup>) must, as described in the Part 200 Uniform Requirements<sup>6</sup> set out at 2 C.F.R. 200.303:

(a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that [the recipient (and any subrecipient)] is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States and the "Internal Control Integrated Framework", issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

(b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.

(c) Evaluate and monitor [the recipient's (and any subrecipient's)] compliance with statutes, regulations, and the terms and conditions of Federal awards.

(d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

(e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or [the recipient (or any subrecipient)] considers

<sup>&</sup>lt;sup>5</sup> For purposes of this solicitation (or program announcement), "pass-through entity" includes any entity eligible to receive funding as a recipient or subrecipient under this solicitation (or program announcement) that, if funded, may make a subaward(s) to a subrecipient(s) to carry out part of the funded program.

<sup>&</sup>lt;sup>6</sup> The "Part 200 Uniform Requirements" means the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

To help ensure that applicants understand applicable administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in the DOJ Grants Financial Management Online Training, available <u>here</u>.

#### Budget Information

#### Cost Sharing or Matching Requirement (cash or in-kind)

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<sup>7</sup> of the total project costs and how they will use match 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 <u>DOJ</u> <u>Grants Financial Guide</u> for examples of "in-kind" services. The formula for calculating the match is:

<u>Federal Award Amount</u> = Adjusted (Total) Project Costs Federal Share Percentage

Required Recipient's Share Percentage x Adjusted Project Cost = Required Match

**Match Formula Examples:** 50% match requirement for a federal award amount of \$350,000, calculate match as follows:

<u>\$350,000</u> = \$700,000 50% x \$700,000 = \$350,000 Match

#### Pre-Agreement Costs (also known as Pre-award Costs)

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the federal award.

OJP does **not** typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact listed on the title page of this solicitation for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-agreement costs, consistent with the recipient's approved budget and applicable cost principles. See the section on Costs Requiring Prior Approval in the <u>DOJ Grants Financial Guide</u> for more information.

<sup>&</sup>lt;sup>7</sup> Indian tribes and tribal organizations that otherwise are eligible for an award may be able to apply certain types of funds received from the federal government (for example, certain funds received under an Indian "self-determination contract") to satisfy all or part of a required "non-federal" match.

#### Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000 made under this solicitation, a recipient may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the 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.<sup>8</sup> The 2017 salary table for SES employees is available at the Office of Personnel Management <u>website</u>. Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Non-federal funds used for any such additional compensation will not be considered matching funds, where match requirements apply.) If only a portion of an employee's time is charged to an OJP award, the maximum allowable compensation is equal to the percentage of time worked times the maximum salary limitation.

The Assistant Attorney General for OJP may exercise discretion to waive, on an individual basis, this limitation on compensation rates allowable under an award. An applicant that requests a waiver should include a detailed justification in the budget narrative of its application. An applicant that does not submit a waiver request and justification with its application should anticipate that OJP will require the applicant to adjust and resubmit the budget.

The justification should address—in the context of the work the individual would do under the award—the particular qualifications and expertise of the individual, the uniqueness of a service the individual will provide, the individual's specific knowledge of the proposed program or project, and a statement that explains whether and how the individual's salary under the award would be commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work he/she would do under the award.

#### Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events, available at

<u>www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm</u>. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients, as well as some conference, meeting, and training costs for grant recipients; and (3) set cost limits, which include a general prohibition of all food and beverage costs.

#### 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 for individuals with limited English proficiency may be allowable. 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 under "Overview of Legal

<sup>&</sup>lt;sup>8</sup> OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed in Appendix VIII to 2 C.F.R. Part 200.

Requirements Generally Applicable to OJP Grants and Cooperative Agreements" in the <u>OJP</u> <u>Funding Resource Center</u>.

### **C. Eligibility Information**

For eligibility information, see title page.

For information on cost sharing or match requirements, see Section B. Federal Award Information.

### **D.** Application and Submission Information

#### What an Application Should Include

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, it may negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

Moreover, an applicant should anticipate that an application that OJP determines is nonresponsive to the scope of the solicitation, or that OJP determines does not include the application elements that BJA has designated to be critical, will neither proceed to peer review, nor receive further consideration. For this solicitation, BJA has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet, and Budget Narrative. An applicant may combine the Budget Narrative and the Budget Detail Worksheet in one document. However, if an applicant submits only one budget document, it must contain **both** narrative and detail information. Please review the "Note on File Names and File Types" under <u>How to Apply</u> (below) to be sure applications are submitted in permitted formats.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet and Budget Narrative," "Timelines," "Memoranda of Understanding," "Résumés") for all attachments. Also, OJP recommends that applicants include résumés in a single file.

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

The SF-424 is a required standard form used as a cover sheet for submission of preapplications, applications, and related information. Grants.gov and the OJP Grants Management System (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).

To avoid processing delays, applicants must include an accurate legal name on their SF-424. Current OJP award recipients, when completing the field for "Legal Name," should use the same legal name that appears on the prior year award document, which is also the legal name stored in OJP's financial system. On the SF-424, enter the Legal Name in box 5 and Employer Identification Number (EIN) in box 6 exactly as it appears on the prior year award document. Applicants with current awards must ensure that their GMS profile is current. If it isn't, they should submit a Grant Adjustment Notice updating the information on their GMS profile prior to applying under this solicitation.

New applicants should enter the Official Legal Name and address of the applicant entity in box 5 and the EIN in box 6 of the SF-424. Applicants must attach official legal documents to their applications (e.g., articles of incorporation, 501C3, etc.) to confirm the legal name, address, and EIN entered into the SF-424.

**Intergovernmental Review:** This solicitation ("funding opportunity") **is** subject to <u>Executive</u> <u>Order 12372</u>. An applicant may find the names and addresses of State Single Points of Contact (SPOCs) at the following website: <u>www.whitehouse.gov/omb/grants\_spoc/</u>. If the State appears on the SPOC list, the applicant must contact the State SPOC to find out about, and comply with, the State's process under E.O. 12372. In completing the SF-424, an applicant whose State appears on the SPOC list is to make the appropriate selection in response to question 19 once the applicant has complied with its State E.O. 12372 process. (An applicant whose State does not appear on the SPOC list should answer question 19 by selecting the response that the "Program is subject to E.O. 12372 but has not been selected by the State for review.")

#### 2. Project Abstract

Applications should include a high-quality Project Abstract that summarizes the proposed project in 400 words or less. Project Abstracts should be—

- Written for a general public audience.
- Submitted as a separate attachment with "Project Abstract" as part of its file name.
- Single-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins.

As a separate attachment, the Project Abstract will **not** count against the page limit for the Program Narrative.

All project abstracts should follow the detailed template available at ojp.gov/funding/Apply/Resources/ProjectAbstractTemplate.pdf.

**Permission to Share Project Abstract with the Public:** It is unlikely that OJP will be able to fund all applications submitted under this solicitation, but it may have the opportunity to share information with the public regarding unfunded applications, for example, through a listing on a web page available to the public. The intent of this public posting would be to allow other possible funders to become aware of such applications.

In the project abstract template, each applicant is asked to indicate whether it gives OJP permission to share the applicant's project abstract (including contact information for individuals) with the public. Granting (or failing to grant) this permission will not affect OJP's funding decisions. Moreover, if the application is not funded, providing permission will not ensure that OJP will share the abstract information, nor will it assure funding from any other source.

**Note:** OJP may choose not to list a project that otherwise would have been included in a listing of unfunded applications, should the abstract fail to meet the format and content requirements noted above and outlined in the project abstract template.

#### 3. Program Narrative

The Program Narrative should respond to the solicitation and the <u>Selection Criteria (1-5)</u> in the order given. The Program Narrative should be double-spaced, using a standard 12-point font (Times New Roman is preferred) with no less than 1-inch margins, and should not exceed 15 pages. Please number pages "1 of 15," "2 of 15," etc.

If the Program Narrative fails to comply with these length-related restrictions, BJA may consider such noncompliance in peer review and in final award decisions. BJA will instruct the peer reviewers to score applications based on content, not the length of the application. Applicants should focus on grant requirements, priority considerations, and addressing the purpose of this grant.

The following sections should be included as part of the program narrative<sup>9</sup>:

- a. Description of issues the applicant(s) intend to address
- **b.** Project design and implementation
- c. Capabilities and competencies
- d. Plans for continuity of the program after federal funds have been expended
- e. Plan for collecting the data required for this solicitation's performance measures

OJP will require each successful applicant to submit specific performance measures data as part of its reporting under the award (see "<u>General Information about Post-Federal</u> <u>Award Reporting Requirements</u>" in <u>Section F. Federal Award Administration Information</u>). The performance measures correlate to the goals, objectives, and deliverables identified under "Goals, Objectives, and Deliverables" in <u>Section A. Program Description</u>.

The application should describe the applicant's plan for collection of all of the performance measures data should it receive funding.

Award recipients will be required to provide the relevant data by submitting quarterly performance metrics through BJA's online Performance Measurement Tool (PMT) located at <u>www.bjaperformancetools.org</u>.

Applicants should review the complete list of BWC PIP program performance measures at: <u>https://www.bjaperformancetools.org/help/BWCPerformanceMeasures.pdf</u>.

#### Note on Project Evaluations

An applicant that proposes to use award funds 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

<sup>&</sup>lt;sup>9</sup> For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under <u>Section D. Application and Submission Information</u>.

conducted only to meet OJP's performance measure data reporting requirements, likely do not constitute "research." Each applicant should provide sufficient information for OJP to determine whether the particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ definition of research that appears at 28 C.F.R. Part 46 ("Protection of Human Subjects").

Research, for purposes of human subjects protection 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 for purposes of human subjects protection, applicants should consult the decision tree in the "Research and the protection of human subjects" section of the "<u>Requirements related to</u> <u>Research</u>" web page of the "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements," available through the <u>OJP Funding Resource Center</u>. Every prospective applicant whose application may propose a research or statistical component also should review the "Data Privacy and Confidentiality Requirements" section on that web page.

#### 4. Budget and Associated Documentation

The budget documents should respond to the solicitation and the 6th <u>Selection Criteria</u> and address both federal requested funds and allotted in-kind and/or cash matching funds.

#### a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at <u>www.oip.gov/funding/Apply/Resources/BudgetDetailWorksheet.pdf</u>. An applicant that submits its budget in a different format should use the budget categories listed in the sample budget worksheet. The Budget Detail Worksheet should break out costs by year.

The Budget Detail Worksheet should identify the number of cameras expected to be purchased with Federal Funds, the number of cameras to be purchased with Match Funds, and the estimated travel costs to attend the required conferences.

For questions pertaining to budget and examples of allowable and unallowable costs, see the <u>DOJ Grants Financial Guide</u>.

#### b. Budget Narrative

The budget narrative should thoroughly and clearly describe <u>every</u> category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

An applicant should demonstrate in its budget narrative how it will maximize cost effectiveness of grant expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The budget narrative should be mathematically sound and correspond clearly with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated <u>all</u> costs, and how those costs are necessary 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 describe costs by year.

# c. Information on Proposed Subawards (if any), as well as on Proposed Procurement Contracts (if any)

Applicants for OJP awards typically may propose to make "subawards." Applicants also may propose to enter into procurement "contracts" under the award.

Whether—for purposes of federal grants administrative requirements—a particular agreement between a recipient and a third party will be considered a "subaward" or instead considered a procurement "contract" under the award is determined by federal rules and applicable OJP guidance. It is an important distinction, in part because the federal administrative rules and requirements that apply to "subawards" and to procurement "contracts" under awards differ markedly.

In general, the central question is the relationship between what the third-party will do under its agreement with the recipient and what the recipient has committed (to OJP) to do under its award to further a public purpose (e.g., services the recipient will provide, products it will develop or modify, research or evaluation it will conduct). If a third party will provide some of the services the recipient has committed (to OJP) to provide, will develop or modify all or part of a product the recipient has committed (to OJP) to develop or modify, or will conduct part of the research or evaluation the recipient has committed (to OJP) to conduct, OJP will consider the agreement with the third party a subaward for purposes of federal grants administrative requirements.

This will be true **even if** the recipient, for internal or other non-federal purposes, labels or treats its agreement as a procurement, a contract, or a procurement contract. Neither the title nor the structure of an agreement determines whether the agreement—for purposes of federal grants administrative requirements—is a "subaward" or is instead a procurement "contract" under an award.

Additional guidance on the circumstances under which (for purposes of federal grants administrative requirements) an agreement constitutes a subaward as opposed to a procurement contract under an award, is available (along with other resources) on the <u>OJP</u> <u>Part 200 Uniform Requirements</u> web page.

#### 1. Information on proposed subawards

A recipient of an OJP award may not make subawards ("subgrants") unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) subawards, a recipient must have authorization from OJP before it may make a subaward.

A particular subaward may be authorized by OJP because the recipient included a sufficiently detailed description and justification of the proposed subaward in the

application as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation, and is not sufficiently described and justified in the application as approved by OJP, the recipient will be required, post-award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award and program, the applicant should (1) identify (if known) the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and federal program, and (3) provide a justification for the subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Program Narrative, but also in the Budget Detail Worksheet and budget narrative.

## 2. Information on proposed procurement contracts (with specific justification for proposed noncompetitive contracts over \$150,000)

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that—for purposes of federal grants administrative requirements—is considered a procurement contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (DOJ) Part 200 Uniform Requirements (as set out at 2 C.F.R. 200.317 - 200.326). The Budget Detail Worksheet and budget narrative should identify proposed procurement contracts. (As discussed above, subawards must be identified and described separately from procurement contracts.)

The Procurement Standards in the Part 200 Uniform Requirements, however, reflect a general expectation that agreements that (for purposes of federal grants administrative requirements) constitute procurement "contracts" under awards will be entered into on the basis of full and open competition. If a proposed procurement contract would exceed the simplified acquisition threshold—currently, \$150,000—a recipient of an OJP award may not proceed without competition unless and until the recipient receives specific advance authorization from OJP to use a non-competitive approach for the procurement.

An applicant that (at the time of its application) intends—without competition—to enter into a procurement "contract" that would exceed \$150,000 should include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition. Various considerations that may be pertinent to the justification are outlined in the DOJ Grants Financial Guide.

#### d. Pre-Agreement Costs

For information on pre-agreement costs, see <u>Section B. Federal Award Information</u>.

#### 5. Indirect Cost Rate Agreement (if applicable)

Indirect costs may be charged to an award only if:

(a) The recipient has a current (that is, unexpired), federally-approved indirect cost rate; or

(b) The recipient is eligible to use, and elects to use, the "de minimis" indirect cost rate described in the Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f).

An applicant with a current (that is, unexpired) federally-approved indirect cost rate is to attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally-approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the applicant's accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, please contact the OCFO Customer Service Center at 1-800-458-0786 or at <u>ask.ocfo@usdoj.gov</u>. If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <u>http://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf</u>.

Certain OJP recipients have the option of electing to use the "de minimis" indirect cost rate. An applicant that is eligible to use the "de minimis" rate that wishes to use the "de minimis" rate should attach written documentation to the application that advises OJP of both (1) the applicant's eligibility to use the "de minimis" rate, and (2) its election to do so. If an eligible applicant elects the "de minimis" rate, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. The "de minimis" rate may no longer be used once an approved federally-negotiated indirect cost rate is eligible to use the "de minimis" rate.)

#### 6. Tribal Authorizing Resolution (if applicable)

A tribe, tribal organization, or third party that proposes to provide direct services or assistance to residents on tribal lands should include in its application a resolution, letter, affidavit, or other documentation, as appropriate, that demonstrates (as a legal matter) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for an award on behalf of a tribe or multiple specific tribes, the application should include appropriate legal documentation, as described above, from all tribes that would receive services or assistance under the award. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

## 7. Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)

**Every** applicant (other than an individual applying in his/her personal capacity) is to download, complete, and submit the <u>OJP Financial Management and System of Internal Controls</u> <u>Questionnaire</u>, as part of its application.

Among other things, the form requires each applicant to disclose whether it currently is designated "high risk" by a federal grant-making agency outside of DOJ. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides

additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant. If an applicant is designated high risk by another federal awarding agency, the applicant must provide the following information:

- The federal awarding agency that currently designates the applicant high risk.
- The date the applicant was designated high risk.
- The high-risk point of contact at that federal awarding agency (name, phone number, and email address).
- The reasons for the high-risk status, as set out by the federal awarding agency.

OJP seeks this information to help ensure appropriate federal oversight of OJP awards. An applicant that is considered "high risk" by another federal awarding agency is not automatically disqualified from receiving an OJP award. OJP may, however, consider the information in award decisions, and may impose additional OJP oversight of any award under this solicitation (including through the conditions that accompany the award document).

#### 8. Disclosure of Lobbying Activities

Each applicant must complete and submit this information. An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form Disclosure of Lobbying Activities (SF-LLL). An applicant that does not expend any funds for lobbying activities is to enter "N/A" in the text boxes for item 10 ("a. Name and Address of Lobbying Registrant" and "b. Individuals Performing Services").

#### 9. Additional Attachments

a. Memorandum of Understanding/Letters of Intent/Documentation of Governance Applicants should include evidence of cross-agency collaboration and a high level of commitment from participating agencies and entities via a memorandum of understanding or other appropriate mechanism.

#### b. Affirmation of Use-of-Force Processes and Policy Review

Applicants should include affirmation of existing, periodic use-of-force policy review processes, a commitment to review use-of-force policies as part of the BWC policy development process, and/or an affirmation that a use-of-force policy will be implemented, if not already, prior to BWC implementation.

#### c. Timeline

Include a timeline that identifies milestones, numerically lists deliverables, and identifies who is responsible for each activity.

#### d. Applicant Disclosure of Pending Applications

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally-funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation, and (2) would cover any identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. The applicant is to disclose applications made directly to federal awarding agencies, and also applications for subawards of federal funds (e.g., applications to State agencies that will subaward ("subgrant") federal funds).

OJP seeks this information to help avoid any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Each applicant that has one or more pending applications as described above is to provide the following information about pending applications submitted within the last 12 months:

- The federal or State funding agency.
- The solicitation name/project name.
- The point of contact information at the applicable federal or State funding agency.

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact at Federal or State Funding Agency
DOJ/COPS	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
HHS/ Substance Abuse & Mental Health Services Administration	Drug Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Each applicant should include the table as a separate attachment to its application. The file should be named "Disclosure of Pending Applications." The applicant Legal Name on the application must match the entity named on the disclosure of pending applications statement.

Any applicant that does not have any pending applications as described above is to submit, as a separate attachment, a statement to this effect: "[Applicant Name on SF-424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally-funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover any identical cost items outlined in the budget submitted as part of this application."

#### How to Apply

Applicants must register in and submit applications through Grants.gov, a primary source to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at <u>www.Grants.gov</u>. Applicants that experience technical difficulties during this process should call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, which operates 24 hours a day, 7 days a week, except on federal holidays.

Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take several weeks** for first-time registrants to receive confirmation of registration and a user password. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications at least 72 hours prior to the application due date, in order to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP strongly encourages all prospective applicants to sign up for Grants.gov email <u>notifications</u> regarding this solicitation. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for updates will be automatically notified.

**Browser Information:** Grants.gov was built to be compatible with Internet Explorer. For technical assistance with Google Chrome, or another browser, contact Grants.gov Customer Support.

**Note on Attachments:** Grants.gov has two categories of files for attachments: "mandatory" and "optional." OJP receives all files attached in both categories. Please ensure that all required documents are attached in either Grants.gov category.

**Note on File Names and File Types:** Grants.gov <u>only</u> permits the use of <u>certain specific</u> characters in the file names of attachments. Valid file names may include <u>only</u> the characters shown in the table below. Grants.gov rejects any application that includes an attachment(s) with a file name that contains <u>any</u> characters not shown in the table below. Grants.gov forwards successfully submitted applications to the OJP Grants Management System (GMS).

Characters	Special Characters		
Upper case (A – Z)	Parenthesis ()	Curly braces { }	Square brackets []
Lower case (a – z)	Ampersand (&)	Tilde (~)	Exclamation point (!)
Underscore ()	Comma (,)	Semicolon (;)	Apostrophe ( ' )
Hyphen ( - )	At sign (@)	Number sign (#)	Dollar sign (\$)
Space	Percent sign (%)	Plus sign (+)	Equal sign (=)
Period (.)	When using the ampersand (&) in XML, applicants must use the "&" format.		

**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." GMS may reject applications with files that use these extensions. It is important to allow time to change the type of file(s) if the application is rejected.

All applicants are required to complete the following steps:

Every applicant entity must comply with all applicable System for Award Management (SAM) and unique entity identifier (currently, a Data Universal Numbering System [DUNS] number) requirements. If an applicant entity has not fully complied with applicable SAM and unique identifier requirements by the time OJP makes award decisions, OJP may determine that the applicant is not qualified to receive an award and may use that determination as a basis for making the award to a different applicant.

An individual who wishes to apply in his/her personal capacity should search Grants.gov for funding opportunities for which individuals are eligible to apply. Use the Funding Opportunity Number (FON) to register. (An applicant applying as an individual must comply with all applicable Grants.gov individual registration requirements.)

Complete the registration form at <u>https://apply07.grants.gov/apply/IndCPRegister</u> to create a username and password for Grants.gov. (An applicant applying as an individual should complete all steps except 1, 2, and 4.)

 Acquire a unique entity identifier (currently, a DUNS number). In general, the Office of Management and Budget requires every applicant for a federal award (other than an individual) to include a "unique entity identifier" in each application, including an application for a supplemental award. Currently, a DUNS number is the required unique entity identifier.

A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. This unique entity identifier is used for tracking purposes, and to validate address and point of contact information for applicants, recipients, and subrecipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at www.dnb.com. A DUNS number is usually received within 1-2 business days.

2. Acquire registration with the System for Award Management (SAM). SAM is the repository for certain standard information about federal financial assistance applicants, recipients, and subrecipients. All applicants for OJP awards (other than individuals) must maintain current registrations in the SAM database. An applicant must be registered in SAM to successfully register in Grants.gov. Each applicant must update or renew its SAM registration at least annually to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete.

An application cannot be successfully submitted in Grants.gov until Grants.gov receives the SAM registration information. Once the SAM registration/renewal is complete, **the information transfer from SAM to Grants.gov can take as long as 48 hours.** OJP recommends that the applicant register or renew registration with SAM as early as possible.

Information about SAM registration procedures can be accessed at www.sam.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. An applicant entity's "unique entity identifier" (DUNS number) must be used to complete this step. For more information about the registration process for organizations and other entities, go to www.grants.gov/web/grants/register.html. Individuals registering with Grants.gov should go to http://www.grants.gov/web/grants/applicants/individual-registration.html.
- 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. The E-Biz POC will need the Marketing Partner Identification Number (MPIN) password obtained when registering with SAM to complete this step. Note that an organization can have more than one AOR.

- **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") number for this solicitation is 16.835, titled 'Body Worn Camera Policy and Implementation," and the funding opportunity number is BJA-2017-11221.
- 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. Submit a valid 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 two notifications from Grants.gov. The first will confirm the receipt of the application. The second will state whether the application has been validated and successfully submitted, or whether it has been rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received, and then receive a rejection notice a few minutes or hours later. Submitting an application well ahead of the deadline provides time to correct the problem(s) that caused the rejection. Important: OJP urges each applicant to submit its application at least 72 hours prior to the application due date, to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification. Applications must be successfully submitted through Grants.gov by 11:59 p.m. eastern time on February 16, 2017.

Click <u>here</u> for further details on DUNS numbers, SAM, and Grants.gov registration steps and timeframes.

#### Note: Application Versions

If an applicant submits multiple versions of the same application, OJP will review <u>only</u> the most recent system-validated version submitted.

#### Experiencing Unforeseen Grants.gov Technical Issues

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline may contact the Grants.gov <u>Customer</u> <u>Support Hotline</u> or the <u>SAM Help Desk</u> (Federal Service Desk) to report the technical issue and receive a tracking number. The applicant must email the BJA contact identified in the Contact Information section on the title page **within 24 hours after the application deadline** to request approval to submit its application after the deadline. The applicant's email must describe the technical difficulties, and must include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any Grants.gov Help Desk or SAM tracking number(s).

**Note: OJP does not automatically approve requests to submit a late application.** After OJP reviews the applicant's request, and contacts the Grants.gov or SAM Help Desks to verify the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the untimely application submission was due to the applicant's failure to follow all required procedures, OJP will deny the applicant's request to submit its application.

The following conditions generally are insufficient to justify late submissions:

- Failure to register in SAM or Grants.gov in sufficient time. (SAM registration and renewal can take as long as 10 business days to complete. The information transfer from SAM to Grants.gov can take up to 48 hours.)
- Failure to follow Grants.gov instructions on how to register and apply as posted on its website.
- Failure to follow each instruction in the OJP solicitation.
- Technical issues with the applicant's computer or information technology environment, such as issues with firewalls or browser incompatibility.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP <u>Funding Resource Center</u> web page.

## E. Application Review Information

#### **Review Criteria**

Applications that meet basic minimum requirements will be evaluated by peer reviewers using the following review criteria.

#### 1. Description of the Issue (15 percent)

Describe the problems that the implementation of a body-worn camera program will seek to overcome:

- 1) Provide data in support of the need for a body-worn camera program.
- 2) Describe the demographics of your jurisdiction.
- 3) Demonstrate an understanding of how officer complaints and use-of-force practices can be addressed by BWCs.
- 4) Demonstrate a need to leverage DME (Digital Multimedia Evidence) to help inform adjudication of cases.
- 5) Provide metrics for agency sworn personnel:
  - a) Total number of sworn officers within your agency.
  - b) The number of sworn officers with patrol activities or with daily citizen interaction outside of the agency.
  - c) The number of sworn officers your project expects to deploy body-worn cameras to when your program is completely implemented.
- 6) Additionally, all applicants must identify and provide a status of any other BWC grant programs that have been applied for.

#### 2. Project Design and Implementation (35 percent)

- 1) Describe specifically how the project will accomplish expected outcomes by providing the goals, objectives, and performance measures applicable to the project.
- 2) Include a comprehensive timeline (as an attachment) that identifies milestones, numerically lists deliverables, and identifies who is responsible for each activity.
- 3) Utilizing the COPS "Implementing a Body-Worn Camera Program"<sup>10</sup> report, the applicant will demonstrate a thorough understanding and appreciation of the issues discussed, and

<sup>&</sup>lt;sup>10</sup> Miller, Lindsay, Jessica Toliver, and Police Executive Research Forum. 2014. *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned*. Washington, DC: Office of Community Oriented Policing Services. <u>www.justice.gov/iso/opa/resources/472014912134715246869.pdf</u>.

will incorporate the most important program design elements in their proposal.

- 4) All applicants must describe an implementation plan for achieving the goals of the BWC PIP.
- 5) Demonstrate a partnership with associated agencies and advocacy groups necessary to effectively utilize DME and promote the program objectives.
- 6) Identify the expected number of BWCs to purchase with requested funds.
- 7) Address travel requirements for national and regional conference attendance see page 10.
- 8) Address Partnership and Technical Priority Considerations (if applicable) see page 11.
- 9) Identify methods to develop policies and tracking mechanisms that include legal liabilities of the Freedom of Information Act (FOIA) statutes and regulations pertaining to storage, retention, redaction, and expungement as well as privacy policies addressing BWC issues involving civil rights, domestic violence, juvenile, and other victims' groups.

#### 3. Capabilities and Competencies (15 percent)

- 1) Categories 1, 2, 3, and 4: Reference to attached documentation of Prosecutor Support, see page 10.
- 2) Reference to attached affirmation of Use-Of-Force Policy Review, see page 10.
- 3) Fully describe the applicant's capabilities to implement the project and the competencies of the staff assigned to the project.
- 4) Describe and demonstrate effective policy development and implementation and describe program communications plans.
- 5) Describe the agency's technology capabilities including previous systems' implementation projects.
- 6) Describe previous law enforcement programs and initiatives that required broad community and stakeholder engagement and report the results of those efforts.
- 7) Describe previous mobile technology deployments and the results of those efforts (e.g., mobile: records management systems (RMS), computer aided dispatch (CAD), electronic citations and other reports, mobile computers and devices, in-car video, and mobile applications).
- 8) Provide evidence of broad community and stakeholder collaboration and a high level of commitment from participating agencies and entities via memoranda of understanding or other appropriate mechanisms. Such commitment for the BWC PIP should be described in the application and submitted as attachments with the application.

#### 4. Program Continuity (5 percent)

- 1) Describe specifically how the jurisdiction will support the body-worn camera program after the end of the grant period.
- 2) Address budgetary, policy, and administrative management continuity.

# 5. Plan for Collecting the Data Required for this Solicitation's Performance Measures (10 percent).

- 1) Describe the process for measuring project performance.
- 2) Identify who will collect the data, who is responsible for performance measurement, and how the information will be used to guide and evaluate the impact of the program.
- 3) Describe commitment to working with BJA TTA provider to accurately report implementation findings.

#### 6. Budget (20 percent)

- 1) Provide a proposed budget and budget narrative that are complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).
- 2) Identify the number of cameras to be purchased with federal and match funding sources.
- 3) Identify travel budgets for national and regional conference attendance.
- 4) Budget narratives should demonstrate generally how applicants will maximize cost effectiveness of grant expenditures.
- 5) Budget Narratives should enhance the information provided in the Budget Detail Worksheet, providing details about how the line items impact the overall project.
- 6) Budget Narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.<sup>11</sup>

#### **Review Process**

OJP is committed to ensuring a fair and open process for making awards. 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. For purposes of assessing whether an application meets basic minimum requirements and should proceed to further consideration, OJP screens applications for compliance with those requirements. Although specific requirements may vary, the following are common requirements applicable to all solicitations for funding under OJP programs:

- The application must be submitted by an eligible type of applicant.
- The application must request funding within programmatic funding constraints (if applicable).
- The application must be responsive to the scope of the solicitation.
- The application must include all items designated as "critical elements."
- The applicant must not be identified in SAM as excluded from receiving federal awards.

For a list of the critical elements for this solicitation, see "What an Application Should Include" under <u>Section D. Application and Submission Information.</u>

Peer review panels will evaluate, score, and rate applications that meet basic minimum requirements. BJA may use internal peer reviewers, external peer reviewers, or a combination, to assess applications on technical merit using the solicitation's review criteria. 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. Peer reviewers' ratings and any resulting recommendations are advisory only, although reviewer views are considered carefully. Other important considerations for OJP include underserved populations, geographic diversity, strategic priorities, and available funding, as well as the extent to which the Budget Detail Worksheet and budget narrative accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

<sup>&</sup>lt;sup>11</sup> Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by applicants. Among other things to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award. If OJP anticipates that an award will exceed \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System; "FAPIIS").

**Important note on FAPIIS**: An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by applicants.

The evaluation of risks goes beyond information in SAM, however. OJP itself has in place a framework for evaluating risks posed by applicants for competitive awards. OJP takes into account information pertinent to matters such as:

- 1. Applicant financial stability and fiscal integrity.
- 2. Quality of the management systems of the applicant, and the applicant's ability to meet prescribed management standards, including those outlined in the DOJ Grants Financial Guide.
- 3. Applicant's history of performance under OJP and other DOJ awards (including compliance with reporting requirements and award conditions), as well as awards from other federal agencies.
- 4. Reports and findings from audits of the applicant, including audits under the Part 200 Uniform Requirements.
- 5. Applicant's ability to comply with statutory and regulatory requirements, and to effectively implement other award requirements.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may take into account not only peer review ratings and BJA recommendations, but also other factors as indicated in this section.

### F. Federal Award Administration Information

#### **Federal Award Notices**

Award notifications will be made by September 30, 2017. OJP sends award notifications by email through GMS to the individuals listed in the application as the point of contact and the authorizing official (E-Biz POC and AOR). The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

For each successful applicant, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial point of contact; thoroughly review the award, including all award conditions; and sign

and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning of the fully-executed award document to OJP.

#### Administrative, National Policy, and Other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the OJPapproved application, the recipient must comply with all award conditions, as well as all applicable requirements of federal statutes, regulations, and executive orders (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance). OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

Applicants should consult the "<u>Overview of Legal Requirements Generally Applicable to OJP</u> <u>Grants and Cooperative Agreements</u>," available in the <u>OJP Funding Resource Center</u>. In addition, applicants should examine the following two legal documents, as each successful applicant must execute both documents before it may receive any award funds.

- <u>Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility</u> <u>Matters; and Drug-Free Workplace Requirements</u>
- Standard Assurances

Applicants may view these documents in the Apply section of the OJP Funding Resource Center.

The web pages accessible through the "<u>Overview of Legal Requirements Generally Applicable</u> to OJP Grants and Cooperative Agreements" are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY 2017. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute or program, or solicitation under which the award is made; to the substance of the funded application; to the recipient's performance under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

#### **General Information about Post-Federal Award Reporting Requirements**

In addition to the deliverables described in <u>Section A. Program Description</u>, any recipient of an award under this solicitation will be required to submit the following reports and data.

<u>Required reports</u>. Recipients typically must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

Awards that exceed \$500,000 will include an additional condition that, under specific circumstances, will require the recipient to report (to FAPIIS) information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either the OJP award or any other grant, cooperative agreement, or procurement contract from the federal

government. Additional information on this reporting requirement appears in the text of the award condition posted on the OJP website at <u>http://ojp.gov/funding/FAPIIS.htm</u>.

Data on performance measures. In addition to required reports, an award recipient also must provide data that measure the results of the work done under the award. To demonstrate program progress and success, as well as to assist DOJ 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, OJP will require any recipient, post award, to provide the data listed as "Data Recipient Provides" in the performance measures table in Section D. Application and Submission Information, under "Program Narrative," so that OJP can calculate values for this solicitation's performance measures.

### G. Federal Awarding Agency Contact(s)

For OJP Contact(s), see title page.

For contact information for Grants.gov, see title page.

### **H.** Other Information

#### Freedom of Information Act and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a)

All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. By law, DOJ may withhold information that is responsive to a request pursuant to FOIA if DOJ determines that the responsive information either is protected under the Privacy Act or falls within the scope of one of nine statutory exemptions under FOIA. DOJ cannot agree in advance of a request pursuant to FOIA not to release some or all portions of an application.

In its review of records that are responsive to a FOIA request, OJP will withhold information in those records that plainly falls within the scope of the Privacy Act or one of the statutory exemptions under FOIA. (Some examples include certain types of information in budgets, and names and contact information for project staff other than certain key personnel.) In appropriate circumstances, OJP will request the views of the applicant/recipient that submitted a responsive document.

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify—quite precisely—any particular information in the application that applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a similar process for requests pursuant to FOIA for applications that may contain law-enforcement sensitive information.

#### **Provide Feedback to OJP**

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to <u>OJPSolicitationFeedback@usdoj.gov</u>.

**IMPORTANT:** This email is for feedback and suggestions only. OJP does **not** reply from this mailbox to messages it receives in this mailbox. Any prospective applicant that has specific questions on any program or technical aspect of the solicitation **must** use the appropriate telephone number or email listed on the front of this document to obtain information. These contacts are provided to help ensure that prospective applicants can directly reach an individual who can address specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your resume to <u>ojppeerreview@lmsolas.com</u>. (Do not send your résumé to the OJP Solicitation Feedback email account.) **Note:** Neither you nor anyone else from your organization or entity can be a peer reviewer in a competition in which you or your organization/entity has submitted an application.

#### Application Checklist FY 2017 Body-Worn Camera Pilot Implementation Program

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

#### What an Applicant Should Do:

Prior to Registering in Grants.gov: \_\_\_\_ Acquire a DUNS Number (see page 26) Acquire or renew registration with SAM (see page 26) To Register with Grants.gov: Acquire AOR and Grants.gov username/password (see page 26) Acquire AOR confirmation from the E-Biz POC (see page 26) To Find Funding Opportunity: \_\_\_\_\_ Search for the Funding Opportunity on Grants.gov (see page 27) Select the correct Competition ID (see page 27) Download Funding Opportunity and Application Package (see page 27) Sign up for Grants.gov email notifications (optional) (see page 25) Read Important Notice: Applying for Grants in Grants.gov Read OJP policy and guidance on conference approval, planning, and reporting available at ojp.gov/financialguide/DOJ/PostawardReguirements/chapter3.10a.htm After Application Submission, Receive Grants.gov Email Notifications That: \_\_\_\_\_ (1) application has been received, (2) application has either been successfully validated or rejected with errors (see page 27) If No Grants.gov Receipt, and Validation or Error Notifications are Received: contact BJA regarding experiencing technical difficulties

(see page 27)

#### **Overview of Post-Award Legal Requirements:**

\_\_\_\_\_ Review the "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements" in the OJP Funding Resource Center.

#### Scope Requirement:

\_\_\_\_\_The federal amount requested is within the allowable limit(s) described for each category (see pages 7-12).

**Eligibility Requirement:** Eligible applicants are limited to units 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 (including combinations of the preceding, one of which is designated as the primary applicant.)

#### What an Application Should Include:

(see page 16)				
(see page 17)				
(see page 17)				
(see page 18)				
(see page 19)				
(see page 19)				
(see page 21)				
(see page 22)				
Financial Management and System of Internal Controls Questionnaire (see page 22)				
(see page 23)				
*Memoranda of Understanding/Letters of Intent/Governance (see page 23)				
*Affirmation of Use-of-Force Policy Development, Review, and Implementation (see				
page 23)				
Applicant Disclosure of Pending Applications (see page 23) [insert page number])				
Request and Justification for Employee Compensation Waiver (if applicable)				
(see page 15)				

NOTE: Elements marked with an asterisk (\*) 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.