

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



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications from states, localities, and tribes that are interested in implementing or enhancing a Swift, Certain, and Fair (SCF) Supervision Program Model. This program furthers the Department's mission by providing resources for state, local, and tribal governments to establish or enhance programming focused on modifying and reducing criminal behavior and enhancing public safety.

Swift, Certain, and Fair (SCF) Supervision Program – Including Project HOPE FY 2017 Competitive Grant Announcement Applications Due: March 23, 2017

Eligibility

Eligible applicants are limited to states, units of local government, territories, and federally recognized Indian tribal governments (as determined by the Secretary of the Interior).

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").¹ The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding and managing the entire 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.

Deadline

Applicants must register with [Grants.gov](#) prior to submitting an application. All applications are due by 11:59 p.m. eastern time on March 23, 2017.

¹ For additional information on subawards, see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

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 [Important Notice: Applying for Grants in Grants.gov](#).

For additional information, see [How to Apply](#) 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 support@grants.gov. The [Grants.gov](#) 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 contact identified below **within 24 hours after the application deadline** in order to request approval to submit its application after the deadline. Additional information on reporting technical issues appears under “Experiencing Unforeseen Grants.gov Technical Issues” in the [How to Apply](#) 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 grants@ncjrs.gov; fax to 301-240-5830; or web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>. 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-2017-11563

Release date: January 19, 2017

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Swift, Certain, and Fair (SCF) Supervision Program – Including Project HOPE (CFDA #16.828)

A. Program Description

Overview

BJA's "Smart Suite" of programs invests in the development of practitioner-researcher partnerships that use data, evidence, and innovation to create strategies and interventions that are effective and economical. This data-driven approach enables jurisdictions to understand the full nature and extent of the crime and supervision challenges they are facing and to target resources to the highest priorities. The Smart Suite of programs, which includes the Swift, Certain, and Fair (SCF) Supervision Program, is a strategic approach that brings more "science" into criminal justice operations by leveraging innovative applications of analysis, technology, and evidence-based practices with the goal of improving performance and effectiveness while containing costs.

There are multiple states, counties, cities, and tribes that are interested in implementing SCF models of supervision with persons supervised in the community². This interest has grown out of the potential promise that these SCF models have shown in effectively reducing recidivism and preventing crime. In particular, Hawaii's Opportunity Probation with Enforcement (HOPE)³ Program has shown promise when implemented in the state; and as a result, there is significant interest and activity aimed at implementing models of supervision and other versions of the HOPE model which rely on swift, certain, and fair supervision to improve the outcomes of individuals under community supervision.

The SCF principles are intended to: (a) improve supervision strategies that reduce recidivism; (b) promote and increase collaboration among agencies and officials who work in community corrections and related fields to enhance swift and certain supervision; (c) enhance the supervised persons' perception that the supervision decisions are fair, consistently applied, and consequences are transparent; and (d) improve the outcomes of individuals participating in these initiatives. Through this FY 2017 grant announcement, BJA will select multiple applicants to develop, implement, or enhance an SCF model. Applicants selected under this announcement will work with BJA and its SCF training and technical assistance (TTA) partner to implement the model with fidelity. BJA is supporting this effort to enhance public safety, foster collaboration, and improve the outcomes of individuals under the supervision of community corrections.

Statutory Authority: 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.

² The concept related to ensuring that responses to behaviors of persons under community supervision should be swiftly applied; certain in that the response is predefined and communicated to the person under supervision and because they are consistently and transparently applied are seen as fair. The specific ideas are outlined in detail below.

³ Rated "promising" by CrimeSolutions.gov, see <https://www.crimesolutions.gov/ProgramDetails.aspx?ID=49>.

Program-Specific Information

Swift, certain, and fair criminal justice responses are longstanding principles in community corrections. Many efforts have been made to improve adherence to these principles over the last two decades. Hawaii's HOPE Probation Program, which started in 2004, is the best known large-scale implementation of SCF supervision. The HOPE model was designed by Judge Steven Alm and partners in the probation department to address particular concerns in Honolulu: high rates of methamphetamine use among moderate-to-high risk probationers, with inadequate means to respond short of revocation, leading to high use of prison under Hawaii's strict sentencing practices.

Participants are oriented into HOPE in a hearing before the judge in open court, in which the judge relates that everyone in the room wants the participants to succeed and that taking accountability for their behaviors will be treated favorably, while deception and dishonesty will be treated unfavorably. Compared to the status quo, HOPE dramatically improved the **swift and certain** of sanctions for technical violations by adding regular random drug tests, delivering administrative responses within days of the detected violation, and imposing brief jail stays (typically 3 days). Continued compliance is rewarded with reduced drug testing and early termination from supervision, and non-jail sanctions are employed for minor violations by otherwise compliant probationers.

Because only a small fraction of HOPE probationers receive mandated treatment (after several positive tests or at the probationer's request), the program can afford to use intensive long-term residential treatment rather than rely primarily on outpatient drug-free counseling as most diversion programs and drug courts do.

According to the National Institute of Justice (NIJ),⁴ researchers call this flexible and targeted approach to drug treatment "behavioral triage." They found that HOPE's behavioral triage has several advantages over an assess-and-treat model:

- It is more cost-efficient because it covers a large number of clients while delivering intensive treatment to those who prove to need it.
- It puts a smaller strain on treatment capacity by avoiding the situation in which clients for whom treatment is mandated crowd out clients who voluntarily seek treatment.
- Because the treatment mandate follows repeated failures, it helps break through denial; an individual who has spent three brief spells in jail for positive drug tests may find it hard to keep telling himself that he is in control of his drug use.

If treatment is mandated, a HOPE probationer must abstain from drug use (not merely comply with an order to appear for treatment) to avoid a prison term; this, the researchers found, positions the treatment provider as the probationer's ally in the effort to stay out of jail.

By addressing every violation of program participants and responding quickly, HOPE sent a consistent message to probationers about personal responsibility. The program reflected the research about deterrence and motivation that **certain** responses influence future behavior. It also increased the likelihood of compliance by imposing consequences that were relative to the offense, consistently applied, and perceived to be **fair** by all stakeholders. The program's success depended on streamlined judicial processes and careful coordination and collaboration among the courts, probation, law enforcement, and treatment providers. The program minimized

⁴ Please visit: <http://www.nij.gov/topics/corrections/community/drug-offenders/pages/hawaii-hope.aspx>.

delays within the court system by expediting the reporting of positive drug tests, the scheduling of court hearings, and the issuance of bench warrants to absconders. In addition, cooperation with law enforcement agencies ensured that bench warrants were prioritized and served within days.

The outcomes of a 2009 randomized controlled trial evaluation of Hawaii HOPE (Hawken & Kleiman, 2009)⁵ showed that close monitoring of probation conditions—coupled with swift and certain responses to detect violations—improved compliance with the terms of probation and enhanced desistance from drug use. Specifically, about half of the HOPE probationers never tested positive after their initial warning hearing (and didn't require a sanction). Furthermore, when compared to the control group after one year, HOPE probationers were:

- 55 percent less likely to be arrested for a new crime
- 72 percent less likely to use drugs
- 61 percent less likely to skip appointments with their supervisory officer
- 53 percent less likely to have their probation revoked

As a result, HOPE probationers served 48 percent fewer days in prison, on average, than the control group (Hawken & Kleiman, 2009). A long-term follow-up study found that HOPE participants were less likely to use drugs or pick up new drug charges than were those supervised as usual, although no differences in property or violent crimes were found. HOPE was also found to substantially reduce race/ethnic disparities in supervision and in probationer outcomes (Hawken et al., 2016).⁶

HOPE is one implementation of the SCF principles, developed in Hawaii for implementation in Hawaii, with the participation of all stakeholders and consistent with local challenges, resources, and constraints. The SCF principles have been implemented in many other jurisdictions—some adopting HOPE policies and practices more or less wholesale; some adapting to local circumstances with substantial variation; and some starting with a blank slate (Hawken & Kulick, 2016).⁷ Multiple evaluations, several of which are described below, have shown promise and illuminated challenges to successful implementation and improved outcomes.

The Texas SWIFT program, which also focuses on probationers, uses progressive sanctions, including a court admonishment, community service hours, increased reporting requirements, additional fines, and jail time. An evaluation showed that, compared to a matched comparison group, subjects in SWIFT were significantly less likely to violate the terms of their probation, were half as likely to be revoked, and were half as likely to be convicted for new crimes (Snell, 2007).⁸

24/7 Sobriety, initiated in South Dakota in 2005, was created in reaction to the state having the highest rates of drunken driving and roadside fatalities in the United States. 24/7 Sobriety requires individuals arrested for or convicted of alcohol-involved offenses to submit to

⁵ Hawken, A., & Kleiman, M. A. R. (2009). Managing drug involved probationers with swift and certain sanctions: Evaluating Hawaii's HOPE. Washington, DC: U.S. Department of Justice.

⁶ Hawken, A., Kulick, J., Smith, K., Mei, J., Zhang, Y., Jarman, S., Yu, T., Carson, C., & Vial, T. (2016). HOPE II: A follow-up to Hawaii's HOPE evaluation. Washington, DC: U.S. Department of Justice.

⁷ Hawken, A., & Kulick, J. (2016). Implementation issues in swift certain fair supervision. Perspectives, Spring: 64–77.

⁸ Snell, C. (2007). Fort Bend County Community Supervision and Corrections Special Sanctions Court Program. Unpublished Evaluation Report. Fort Bend County, Texas.

breathalyzer tests twice per day or other frequent or continuous alcohol monitoring. Positive tests result in swift and certain, though modest, penalties such as a day or two in jail. The approach was based on the idea that the certainty and rapidity, rather than the severity, of the punishment would more effectively deter problem drinking. As the program has expanded statewide and as new research findings have come out, the policies and practices have been revised, yielding improved outcomes, at lower costs, with milder sanctions. A study by Kilmer et al. (2013)⁹ found strong support for the hypothesis that frequent alcohol testing with swift, certain, and modest sanctions could reduce problem drinking and improve public health outcomes.

In 2010, Alaska implemented the PACE program, based on HOPE. Preliminary results from the experimental design suggested reductions in positive drug tests (Carns & Martin, 2011).¹⁰ Failed drug-test rates dropped from 25 percent during the 3 months prior to enrollment to 9 percent in the 3 months following enrollment. In the same period, the portion of participants with any failed or missed tests dropped from 68 percent to only 20 percent (Carns & Martin, 2011).

In 2013, Grommon et al. conducted a randomized control trial to study the relapse and recidivism outcomes of parolees who were frequently and randomly drug tested, with consequences for use. The authors' sample consisted of 529 offenders released on parole in a large urban county in a Midwestern industrialized state. Grommon et al. (2013)¹¹ found that frequent monitoring of drug use with randomized testing protocols, immediate feedback, and certain consequences was effective in lowering rates of relapse and recidivism. These findings lend support to the use of random testing with swift, certain, and fair sanctions with parolees.

In 2016, Hamilton et al.¹² conducted an evaluation of Washington State's Swift and Certain (SAC) program, which applies to nearly all felons on community supervision in the state of Washington. SAC prescribes swift and certain responses to violations, with modest sanctions (the first being a stipulated agreement). Sanctions are administered by supervisory or hearings officers, without the involvement of the courts. SAC does not entail increased drug testing. Hamilton et al. (2016) found that SAC reduced costs and the use of custodial sanctions with no observed increase in crime.

Between 2011 and 2015, BJA partnered with NIJ to implement and test the Hawaii HOPE model. The HOPE Demonstration Field Experiment (DFE) was a replication of Hawaii's HOPE in probation in four mainland jurisdictions (counties in Arkansas, Massachusetts, Oregon, and Texas). In 2016, Lattimore et al.¹³ reported the initial findings from randomized controlled trials in the four sites. Implementation fidelity to the HOPE model was good. While outcomes varied across the sites, overall, the HOPE probationers did not perform better than control group

⁹ Kilmer B, Nicosia N, Heaton P, and Midgette G. (January 2013). Efficacy of Frequent Monitoring with Swift, Certain, and Modest Sanctions for Violations: Insights from South Dakota's 24/7 Sobriety Program, *American Journal of Public Health*, Vol. 103, No. 1, pp. e37–e43 (EP-51155, http://www.rand.org/pubs/external_publications/EP51155.html).

¹⁰ Carns, T. W., & Martin, S. (2011). Anchorage PACE probation accountability with certain enforcement: A preliminary evaluation of the Anchorage pilot PACE program. Alaska Judicial Council.

¹¹ Grommon, E., Cox, S.M., Davidson, W.S., & Bynum, T.S. (2013) Alternative models of instant drug testing: Evidence from an experimental trial. *Journal of Experimental Criminology*, 9:145-168.

¹² Hamilton, Z., Campbell, C.M., van Wormer, J., Kigerl, A., & Posey, B. (2016). Impact of swift and certain sanctions: An evaluation of Washington State's policy for offenders on community supervision. *Criminology & Public Policy*, 15(4):1009–1072.

¹³ Lattimore, P.K., MacKenzie, D.L., Zajac, G., Dawes, D., Arsenault, E., & Tueller, S. (2016). Outcome findings from the HOPE Demonstration Field Experiment. *Criminology & Public Policy*, 15(4):1103–1141.

probationers with respect to new arrests, convictions, and revocations (Lattimore et al., 2016). However, circumstances in the four sites were quite different from those in Hawaii, and the HOPE model may not have been well suited for replication or the jurisdictions should have weighed local needs, structure, and laws in considering the potential impact of HOPE in their jurisdictions. In addition, this experience underscored the importance of building in time to pilot and refine implementation. Some of the sites took some time to reach full implementation, but the evaluation outcomes were evaluated from day one—in Hawaii, the program was already mature when the evaluation began (Hawken, 2016).¹⁴

How SCF Can Effectively Reduce Violations¹⁵

SCF is strongly grounded in research that shows that crime generally is committed by people for whom deferred and low-probability threats of severe punishment are less effective than immediate and high-probability threats of mild punishment. And a broad body of behavioral research shows that swift and certain rewards for positive behavior can be a powerful incentive to comply with rules. Swift and certain responses to violating terms of probation send a consistent message to probationers about personal responsibility and accountability. Research has shown that swift and consistent responses to behaviors improve the perception that the system is fair.

Given the growing body of research and practice reinforcing the potential of approaches that employ the core SCF concepts, BJA is issuing this solicitation to work with jurisdictions and agencies interested in developing or enhancing their SCF efforts with implementation models informed by research and responsive to local circumstances.

Please check the following link for additional SCF-related research:

<http://scfcenter.org/resources/resources-research.php>

Goals, Objectives, and Deliverables

SCF is a set of principles that can be adapted to local circumstances and applied in many contexts (community, in-custody, 24/7 Sobriety, etc.). SCF initiatives entail a variety of policies and procedures consistent with swiftness, certainty, and fairness, but with operational details that may depart substantially from initiative to initiative. Every jurisdiction is different, and those differences should be reflected in design decisions. Stakeholder engagement (which includes the voices of individuals under supervision) yields locally conceived and implemented SCF initiatives. Some jurisdictions are experimenting with rewards to reinforce positive behavior, and incorporating non-jail sanction responses when feasible and appropriate. SCF entails doing what has been promised and comports with principles of procedural justice. The goals of this program are to develop and enhance SCF initiatives and implement an SCF model with fidelity, resulting in reduced recidivism and better outcomes for program participants.

The objectives of this SCF program are to:

- Demonstrate the use and efficacy of SCF practices and principles to improve the delivery of supervision strategies and practices
- Improve supervision strategies that will reduce recidivism

¹⁴ Hawken, A. (2016). All implementation is local. *Criminology & Public Policy*, 15(4):1229–1239.

¹⁵ Information from the National Institute of Justice, <https://www.nij.gov/topics/corrections/community/drug-offenders/pages/hawaii-hope.aspx>.

- Increase the *number of supervision decisions* that are fair and consistently applied, and with consequences that are transparent
- Promote and increase collaboration among agencies and officials who work in probation, parole, pretrial, law enforcement, treatment, reentry, and related community corrections fields
- Develop and implement strategies for the identification, targeting, supervision, and treatment of “high risk/high needs” offenders who are being supervised in the community
- Increase the number of participants in programs based on the SCF model who believe that the supervision decisions are fair and consistently applied, and the consequences are transparent

The Goals, Objectives, and Deliverables are directly related to the performance measures set out in the table in [Section D. Application and Submission Information](#), under "Program Narrative."

Mandatory SCF Application Components

SCF Supervision applicants are required to include the following components within their proposal materials:

- Letters on official letterhead that demonstrate a commitment to the proposed initiative; include if the following are members of your SCF team:¹⁶
 - Chief judge
 - One main SCF/HOPE judge, with a back-up SCF/HOPE judge
 - Director of community corrections
 - Community corrections lead supervisor
 - Court administrator and staff
 - Lead prosecutor or district attorney
 - Public defender
 - Chief of police or sheriff
 - Jail administrator
 - Other essential partners, consistent with the proposed application and circumstances of the applicant’s jurisdiction
- A clear demonstration of understanding the Swift, Certain, and Fair Supervision Program Model that is being submitted for consideration
- A clear demonstration that the applicant and its partners have the authority to implement the required elements of the model, including decision-making about the terms of supervision; capacity to assess and effectively target moderate-to-high risk offenders; capacity to issue and serve warrants quickly; drug testing capacity; and access to jail beds, treatment, and other services as needed

Onsite Program Coordinator

Each site must hire or assign a **full-time** onsite program coordinator to manage the day-to-day operations of the SCF initiative. The program coordinator should be housed in the community corrections office. This person should have experience working in the field of criminal justice and have proven capacity to work effectively with the key SCF team members, including the judge, court staff, community corrections, law enforcement, and other partners, where

¹⁶ See Appendix B for the roles and responsibilities of key members of an SCF team. If your initiative/model does not use one of the key members listed, please be sure to explain the roles and responsibilities of the key members of your proposed team.

applicable. The program coordinator will work closely with the SCF TTA Resource Center team and the team's research partner to:

- Build the infrastructure, including policies and procedures, to implement the SCF model
- Monitor the implementation of the SCF model
- Identify the TTA needs of SCF team members
- Continually assess fidelity to the SCF model
- Facilitate communication and logistics among the site's SCF team members
- Identify, collect, and analyze SCF administrative and program data
- Respond to requests for data, reports, and information about the SCF initiative
- Ensure that the SCF team meets regularly so all the members remain informed of the program's status and developments

Partnering with a Researcher

The SCF Supervision Program requires the inclusion of a local research partner to work with the SCF team to: collect and analyze data; monitor sanctions, rewards, violations, and recidivism; provide regular report-outs to the local SCF team; assess the progress of the SCF initiative; and provide data to the national SCF Resource Center team.

There are several mandatory deliverables required of the research partner in addition to the status reporting requirements for grants. This includes a final research report that documents the intervention and lessons learned. It should be practitioner oriented. In addition, grantees should leverage the data from the research partner to ensure that the reporting—especially of the performance measures—is timely, complete, and accurate.

Note: George Mason University's Center for Evidence-Based Crime Policy (CEBCP) has developed an e-Consortium for University Centers and Researchers for Partnership with Justice Practitioners. The purpose of this e-Consortium is to provide a resource to local, state, federal, and other groups that seek to collaborate with nearby (or other) university researchers and centers on partnerships and programs that are mutually beneficial. Access to the e-Consortium is at <http://gmuconsortium.org/>. There is also a list of researchers, along with their focus areas, listed on the Crime and Justice Research Alliance website: <http://crimeandjusticeresearchalliance.org/experts/>.

For information on identifying and working with a research partner, please visit: <http://www.psnmsu.com/documents/ResearchPartnerQ&A.pdf>

Allowable Uses for Award Funds

Allowable uses for award funds can include the following activities to help state, local, and tribal agencies develop or improve their SCF Supervision Programs:

- Support for the program coordinator position
- Support for the research partner
- Overtime for:
 - Court staff to complete paperwork
 - Community corrections staff to expedite bench warrant service
 - Community corrections officers and/or law enforcement officers to apprehend absconders
- The development, implementation, and maintenance of a color code hotline
- The development of a robust, onsite, rapid drug-screening process

- Costs for onsite urine analysis testing
- Costs for offsite urine analysis or hair testing
- Additional BJA-approved contracted jail space, if needed
- Travel costs for SCF team members to attend BJA-approved trainings, program meetings, and peer-to-peer meetings (provide an estimate based on a four-person team spending 4 days in Washington, D.C.)
- Other BJA-approved SCF program costs

See the Swift, Certain, and Fair resource materials located in Appendix A.

Training and Technical Assistance for SCF supervision awardees

TTA will be provided by the SCF TTA Resource Center team. The SCF TTA team will help each site that receives BJA funding:

- Understand the importance of each component of an SCF model
- Develop focused strategies
- Develop a plan to assess and monitor fidelity
- Provide training and coaching for team members to enhance program fidelity
- Understand adaptation and prevent program “drift”¹⁷
- Collect, analyze, interpret, and disseminate data on program outcomes
- Encourage collaboration

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 [CrimeSolutions.gov](https://www.crimesolutions.gov) 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 five awards of up to \$600,000 each, with an estimated total amount awarded of up to \$3 million. BJA expects to make awards for a 36-month period of

¹⁷ This can occur when key components of the model are revised that may not support the goals of the program, or when attention or commitment to the program starts to wane.

performance, to begin on October 1, 2017.

BJA may, in certain cases, provide additional funding in future years to awards made 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 cooperative agreement, which is a type of award that provides for OJP to have substantial involvement in carrying out award activities. See [Administrative, National Policy, and other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of what may constitute substantial federal involvement.

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities¹⁸) must, as described in the Part 200 Uniform Requirements¹⁹ as 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

¹⁸ For purposes of this solicitation, the phrase "pass-through entity" includes any recipient or subrecipient that provides a subaward ("subgrant") to a subrecipient ("subgrantee") to carry out part of the funded award or program.

¹⁹ 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 [here](#).

Budget Information

Unallowable Uses for Award Funds

In addition to the unallowable costs identified in the DOJ Grants Financial Guide, award funds may not be used for the following:

- Prizes/rewards/entertainment/trinkets (or any type of monetary incentive)
- Client stipends
- Gift cards
- Vehicles
- Food and beverage
- Costs that do not support approved program activities

For questions pertaining to budget and examples of allowable and unallowable costs, see the [DOJ Grants Financial Guide](#).

Allowable Uses for Award Funds

Allowable uses for award funds can include the following activities to help state, local, and tribal agencies develop or improve their SCF Supervision Programs:

- Support for the program coordinator position
- Support for the research partner
- Overtime for:
 - Court staff to complete paperwork
 - Community corrections staff to expedite bench warrant service
 - Community corrections officers and/or law enforcement officers to apprehend absconders
- The development, implementation, and maintenance of a color code hotline
- The development of a robust, onsite, rapid drug-screening process
- Costs for onsite urine analysis testing
- Costs for offsite urine analysis or hair testing
- Additional BJA-approved contracted jail space, if needed
- Travel costs for SCF team members to attend BJA-approved trainings, program meetings, and peer-to-peer meetings (provide an estimate based on a four-person team spending 4 days in Washington, D.C.)
- Other BJA-approved SCF program costs

See the Swift, Certain, and Fair resource materials located in Appendix A.

Cost Sharing or Match Requirement

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

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 program 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 [DOJ Grants Financial Guide](#) for more information.

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% 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.²⁰ The 2017 salary table for SES employees is available at the Office of Personnel Management [website](#). 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 program, 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

www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require

²⁰ 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.

prior written approval (which may affect program 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 Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards" in the [OJP Funding Resource Center](#).

C. Eligibility Information

For eligibility information, see the 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 Abstract, Program Narrative, Budget Detail Worksheet, Budget Narrative, and Letters from Essential SCF team members. 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 [How to Apply](#) (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 pre-applications, 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). The SF-424 should include the total amount requested for the entire 36-month project period.

To avoid processing delays, an applicant must include an accurate legal name on its 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. An applicant with current, active award(s) must ensure that its GMS profile is current. If the profile is not current, the applicant should submit a Grant Adjustment Notice updating the information on its GMS profile prior to applying under this solicitation.

A new applicant entity 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 its applications (e.g., articles of incorporation, 501C3, etc.) to confirm the legal name, address, and EIN entered into the SF-424.

Selecting the Appropriate Point of Contact (POC) and the Authorized Representative

Applicants should be cognizant that these two contacts should not be the same. The authorized representative must have the authority to enter the state, county, municipality, or other eligible unit of local government into a legal contract with the federal government. This person is typically a county commissioner, mayor, city manager, or other similarly designated official. The POC will serve as the primary point of contact and will be responsible for grant management duties such as the submission of reports. Make sure that the name, contact information, title, and salutation are correct.

Intergovernmental Review: This solicitation ("funding opportunity") **is not** subject to [Executive Order 12372](#). (In completing the SF-424, an applicant is to answer question 19 by selecting the response that the "Program is not covered by E.O. 12372.")

2. Program Abstract

Applications should include a high-quality program abstract that summarizes the proposed program in 400 words or less. Program abstracts should be—

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

As a separate attachment, the program abstract will **not** count against the page limit for the program narrative.

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

Permission to Share Program 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 program abstract template, each applicant is asked to indicate whether it gives OJP permission to share the applicant's program 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 program 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 program abstract template.

3. Program Narrative

The program narrative must respond to the solicitation and should address the Selection Criteria (beginning on page 32) in the order given (1-4). The program narrative must be double-spaced, using a standard 12-point font (Times New Roman is preferred) with no less than 1-inch margins, and must not exceed 25 pages. Number pages "1 of 25," "2 of 25," 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.

The following sections should be included as part of the program narrative²¹:

- a. Statement of the Problem
- b. Program Design and Implementation
- c. Capabilities and Competencies
- d. 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 "[General Information about Post-Federal Award Reporting Requirements](#)" in [Section F. Federal Award Administration Information](#)). The performance measures correlate to the goals, objectives, and deliverables identified under "Goals, Objective, and Deliverables" in [Section A. Program Description](#).

Post award, recipients will be required to submit quarterly performance metrics through BJA's online Performance Measurement Tool (PMT), located at

²¹ For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

<https://www.bjaperformancetools.org/>. Applicants should review the complete list of SSP Program performance measures at:
https://www.bjaperformancetools.org/help/SCF_PerformanceMeasures.pdf.

BJA does not require applicants to submit performance measure data with their application. Performance measures are included as an alert that BJA will require successful applicants to submit specific data as part of their reporting requirements. For the application, applicants should indicate an understanding of these requirements and discuss how they will gather the required data, should they receive funding.

Note on Program Evaluations

An applicant that proposes to use award funds through this solicitation to conduct program evaluations should be aware that certain program 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, program evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP’s performance measure data reporting requirements, likely do not constitute “research.” Each applicant should provide sufficient information for OJP to determine whether the particular program 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 “[Requirements related to Research](#)” web page of the “Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017,” available through the [OJP Funding Resource Center](#). 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

a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at www.ojp.gov/funding/Apply/Resources/BudgetDetailWorksheet.pdf. 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. Applicants should utilize the following approved budget categories to label the requested expenditures:

- Personnel
- Fringe Benefits
- Travel
- Equipment
- Supplies

- Consultants/Contracts (specific information for each consultant and/or contract must be included in the budget narrative)
- Other Costs
- Indirect Costs

Applicants must show all computations. The Budget Detail Worksheet should provide itemized break downs of all costs. If the computations do not show a sufficient amount of detail or are incorrect, the budgets will be returned for corrections.

The budget summary page must reflect the amounts in the budget categories as included in the Budget Detail Worksheet. These amounts should mirror the amounts in the Budget Narrative.

For questions pertaining to budget and examples of allowable and unallowable costs, see the [DOJ Grants Financial Guide](#).

b. Budget Narrative

The budget narrative should thoroughly and clearly describe every 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 program activities).

An applicant should demonstrate in its budget narrative how it will maximize cost effectiveness of award expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the program. 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 all costs, and how those costs are necessary to the completion of the proposed program. 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 [OJP Part 200 Uniform Requirements](#) 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 [Section B. Federal Award Information](#).

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 ask.ocfo@usdoj.gov. If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <http://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf>.

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 in place. (No entity that ever has had a federally-approved 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 program 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 [OJP Financial Management and System of Internal Controls Questionnaire](#), 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. 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 program 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 programs 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/program name
- The point of contact information at the applicable federal or State funding agency

| Federal or State Funding Agency | Solicitation Name/Program Name | Name/Phone/Email for Point of Contact at Federal or State Funding Agency |
|------------------------------------------------------------------------------------|------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| DOJ/Office of Community Oriented Policing Services (COPS) | COPS Hiring Program | Jane Doe, 202/000-0000; jane.doe@usdoj.gov |
| Health and Human Services/ 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 program being proposed in this

application to OJP and that would cover any identical cost items outlined in the budget submitted as part of in this application.”

b. Research and Evaluation Independence and Integrity

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant must demonstrate independence and integrity regarding both this proposed research and/or evaluation, and any current or prior related programs.

Each application should include an attachment that addresses **both** i. and ii. below.

- i. For purposes of this solicitation, each applicant is to document research and evaluation independence and integrity by including one of the following two items:
 - a. A specific assurance that the applicant has reviewed its application to identify any actual or potential apparent conflicts of interest (including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients), and that the applicant has identified no such conflicts of interest – whether personal or financial or organizational (including on the part of the applicant entity or on the part of staff, investigators, or subrecipients) – that could affect the independence or integrity of the research, including the design, conduct, and reporting of the research.

OR

- b. A specific description of actual or potential apparent conflicts of interest that the applicant has identified—including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients—that could affect the independence or integrity of the research, including the design, conduct, or reporting of the research. These conflicts may be personal (e.g., on the part of investigators or other staff), financial, or organizational (related to the applicant or any subrecipient entity). Some examples of potential investigator (or other personal) conflict situations are those in which an investigator would be in a position to evaluate a spouse’s work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization would not be given an award to evaluate a program, if that organization had itself provided substantial prior technical assistance to that specific program or a location implementing the program (whether funded by OJP or other sources), because the organization in such an instance might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation program are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.

- ii. In addition, for purposes of this solicitation, each applicant is to address possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:
 - a. If an applicant reasonably believes that no actual or potential apparent conflicts of interest (personal, financial, or organizational) exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. The applicant also is to include an explanation of the specific processes and procedures that the applicant has in place, or will put in place, to identify and prevent (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded program during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OR

- b. If the applicant has identified actual or potential apparent conflicts of interest (personal, financial, or organizational) that could affect the independence and integrity of the research, including the design, conduct, or reporting of the research, the applicant must provide a specific and robust mitigation plan to address each of those conflicts. At a minimum, the applicant is expected to explain the specific processes and procedures that the applicant has in place, or will put in place, to identify and eliminate (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded program during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OJP will assess research and evaluation independence and integrity based on considerations such as the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the applicant entity (and any subrecipients) in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

c. Letters from Essential Team Members demonstrating commitment to the SCF Program and to providing data/information to monitor fidelity to the SCF initiative, including:

- 1) Judge for the SCF initiative
- 2) Court administrator
- 3) Agency head—community corrections
- 4) Community corrections supervisor
- 5) Head of law enforcement
- 6) Other essential partners' agency heads

d. Program Timeline with each program goal, related objective, activity, expected completion date, and responsible person or organization

e. Position Descriptions for key positions and **résumés** for personnel in those positions

f. Letters of Support from other key partners detailing the commitment to work with the application to promote the mission of the SCF initiative

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 www.Grants.gov. 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 [notifications](#) 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 only permits the use of certain specific characters in the file names of attachments. Valid file names may include only the characters shown in the table below. Grants.gov rejects any application that includes an attachment(s) with a file name that contains any 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 (.) | Applicants must use the “&” format in place of the ampersand (&) when using XML format for documents. | | |

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

- 1. 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 16.828, titled "Swift, Certain, and Fair (SCF) Supervision Program – Including Project HOPE," and the funding opportunity number is BJA-2017-11563.
- 6. 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 March 23, 2017.

Click [here](#) 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 only 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 must contact the Grants.gov [Customer Support Hotline](#) or the [SAM Help Desk](#) (Federal Service Desk) to report the technical issue and receive a tracking number. The applicant must email the NCJRS Response Center 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 [Funding Resource Center](#) 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. Statement of the Problem (30%)

- Clearly define the scope of the problem that the proposed SCF supervision program seeks to impact, consistent with the SCF model.
- Describe the size and demographic makeup of the population in the jurisdiction currently under community supervision.
- Describe the size and demographic makeup of the population that will be candidates for the proposed initiative.
- Describe the current violation rate (revocation rate or unsuccessful completion rate), and translate that into a baseline recidivism rate which may be used to assess the effectiveness of the SCF initiative. Clearly articulate how the recidivism rate is calculated.
- In describing your jurisdictions' needs, demonstrate an understanding of SCF supervision strategies and their potential to improve individual and criminal justice system outcomes. Summarize the research base for these strategies.
- Demonstrate an understanding of the key elements, components, and team members in describing the SCF approach being proposed.

- Describe the key collaborative relationships needed in your jurisdiction to successfully implement the proposed SCF approach.
- Describe potential issues with maintaining fidelity in your jurisdiction to the proposed SCF approach.

2. Program Design and Implementation (30%)

- Describe the proposed SCF initiative.
- Describe the target population and the expected number of participants for the proposed SCF initiative to be served during the 36 months of the project period.
- Describe the goals, objectives, and deliverables needed to effectively develop and implement the proposed SCF approach.
- Describe the strategies for communicating expectations for participation in the SCF approach.
- Describe the expected outcomes from implementing the proposed SCF approach. Use data and/or research to support the use of the proposed SCF approach.
- Describe how your team would assess, monitor, and enhance fidelity of SCF implementation.
- Describe a plan for assessing your SCF initiative's training and technical assistance needs.
- Demonstrate a commitment to the proposed initiative from the following, where applicable:
 - Chief judge
 - Court administrative staff
 - Community corrections leadership and officers
 - Law enforcement
 - Other essential partners
- Describe how the applicant anticipates the SCF initiative's implementation will improve the effectiveness and efficiency of the delivery of supervision.

3. Capabilities and Competencies (25%)

- Describe the management structure and staffing of the proposed SCF initiative.
- Describe the current organizational/management structure of the responsible community corrections agency. Include the number of supervising staff and the staff/probationer or parolee ratio.
- Demonstrate the capability and commitment of SCF team members to implement the proposed SCF approach, including the staff time and leadership support to implement and coordinate the program. Please list all key partners of the project. All of these partners should include a letter of support for the application.
- Demonstrate that the applicant and its partner agencies have the authority over the elements of the SCF model to fully implement it, including terms of supervision, timely drug testing, and service of warrants and jail space.
- Describe the proposed process to identify and select an experienced fulltime program coordinator. Designate the agency that will be responsible for identifying, selecting/hiring, and hosting the program coordinator.
- Describe the proposed process to identify and select an experienced research partner to include as part of the SCF team. Designate the agency that will be responsible for identifying, selecting/hiring, and hosting the research partner.
- Describe your proposed research partner's experience in completing the following activities as a member of a team or implementation team:

- Developing logic models
- Collecting and analyzing criminal justice and public safety data
- Using data to identify criminal justice and public safety-related problems
- Identifying and proposing proven strategies/interventions to address problems
- Documenting and measuring program operations and processes
- Using data to determine program effectiveness
- Assessing implementation fidelity
- Regularly presenting findings and conclusions both orally and in written form to a team/implementation team
- Making recommendations for program improvement
- Developing "real-time" products and resources for strategic decision-making
- Working with the SCF team to develop a sustainability plan
- Communicating with a wide variety of public sector, private, and community individuals—for example, community corrections officials, prosecutors, law enforcement leadership, probation/parole officers, community members, clergy representatives, funding agency representatives, legislators, city council members, and even offenders are some of the individuals who research partners may call upon to present their evaluation findings, conclusions, and recommendations.

4. Plan for Collecting the Data Required for this Solicitation’s Performance Measures (5%)

- Describe the process for measuring program performance, including meeting timelines and deliverables, and obtaining input and feedback from customers and stakeholders.
- Identify who will collect the data, who is responsible for performance measurement, how the data will be stored, how any personally identifiable information (PII) will be protected, and how the information will be used to guide the program.

5. Budget (10%)

- Provide a budget detail that is complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for program activities). Budget narratives should demonstrate generally how applicants (and their subcontractors/consultants) will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the program.²²
- Provide a proposed detailed budget worksheet and budget narrative that is reasonable, complete, allowable, and cost effective in relation to the proposed activities—for the applicant and proposed subcontractors/consultants.
- The budget must support the strategies and approaches outlined in the program design and include a narrative to describe the expenditures under each cost area and how they will contribute to the overall program’s goals.
- Provide a budget detail and narrative for subcontract/consultant agreements with all key partners confirming their work commitment and involvement with the proposed work and decision making, if the applicant is awarded.
- Refer to the additional Budget Detail Worksheet and Budget Narrative requirements on page 18 for more detailed information.
- The budget must support one-time travel for a four-person team (program coordinator, research partner, and two individuals key to implementation) to attend the 4-day Smart Suite Researcher-Practitioner Fellows Academy. The budget must also include annual

²² 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 cost.

travel costs to an SCF training for two team members for 2 days. Washington, D.C. can be used as the host site to estimate the travel costs.

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 [Section D. Application and Submission Information](#).

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 program costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

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; “FAPIS”).

Important note on FAPIS: An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIS 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 program consistent with the OJP-approved 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 "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#)," available in the [OJP Funding Resource Center](#). 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.

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

Applicants may view these documents in the Apply section of the [OJP Funding Resource Center](#).

The web pages accessible through the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#)" 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.

As stated above, BJA expects that any award under this solicitation to be a cooperative agreement. A cooperative agreement will include a condition in the award document that sets out the "substantial federal involvement" in carrying out the award and program. Generally speaking, under cooperative agreements with OJP, responsibility for the day-to-day conduct of the funded program rests with the recipient. OJP, however, may have substantial involvement in matters such as coordination efforts and site selection, as well as review and approval of work plans, research designs, data collection instruments, and major program-generated materials. In addition, OJP often indicates in the award condition that it may redirect the program if necessary.

In addition to a condition that sets out the "substantial federal involvement" in the award, cooperative agreements awarded by OJP include a condition that requires specific reporting in connection with conferences, meetings, retreats, seminars, symposia, training activities, or similar events funded under the award.

General Information about Post-Federal Award Reporting Requirements

In addition to the deliverables described in [Section A. Program Description](#), any recipient of an award under this solicitation will be required to submit the following reports and data.

Required reports. Recipients typically must submit quarterly financial reports, quarterly 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 web site at <http://ojp.gov/funding/FAPIIS.htm>.

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 relevant data by submitting quarterly performance metrics through BJA’s online Performance Measurement Tool, located at <https://www.bjaperformancetools.org>.

G. Federal Awarding Agency Contact(s)

For OJP contact(s), see the title page.

For contact information for Grants.gov, see the 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 program 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 OJPSolicitationFeedback@usdoj.gov.

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 résumé to ojpeerreview@lmsolas.com. (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
Swift, Certain, and Fair (SCF) Supervision Program:
Including Program HOPE**

This application checklist has been created as an aid in developing an application. Items marked with an asterisk (*) below 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.

What an Applicant Should Do:

Prior to Registering in Grants.gov:

- _____ Acquire a DUNS Number (see page 27)
- _____ Acquire or renew registration with SAM (see page 27)

To Register with Grants.gov:

- _____ Acquire AOR and Grants.gov username/password (see page 27)
- _____ Acquire AOR confirmation from the E-Biz POC (see page 28)

To Find Funding Opportunity:

- _____ Search for the Funding Opportunity on Grants.gov (see page 28)
- _____ Download Funding Opportunity and Application Package (see page 28)
- _____ Sign up for Grants.gov email [notifications](#) (optional) (see page 26)
- _____ Read [Important Notice: Applying for Grants in Grants.gov](#)
- _____ Read OJP policy and guidance on conference approval, planning, and reporting available at <http://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm> (see page 14)

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 28)

If No Grants.gov Receipt, and Validation or Error Notifications are Received:

- _____ contact NCJRS Response Center regarding experiencing technical difficulties (see page 2)

Overview of Post-Award Legal Requirements:

- _____ Review the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#)" in the OJP Funding Resource Center.

Scope Requirement:

- _____ The federal amount requested is within the allowable limit(s) of \$600,000.

Eligibility Requirement: Eligible applicants are limited to states, units of local government, territories, and federally recognized Indian tribal governments (as determined by the Secretary of the Interior).

What an Application Should Include:

- _____ Application for Federal Assistance (SF-424) (see page 16)
- _____ Program Abstract* (see page 16)
- _____ Program Narrative* (see page 17)

- _____ Budget Detail Worksheet and Budget Narrative* (see page 18)
- _____ Indirect Cost Rate Agreement (if applicable) (see page 21)
- _____ Tribal Authorizing Resolution (if applicable) (see page 21)
- _____ Financial Management and System of Internal Controls Questionnaire (see page 22)
- _____ Disclosure of Lobbying Activities (SF-LLL) (see page 22)
- _____ Additional Attachments
 - _____ Applicant Disclosure of Pending Applications (see page 22)
 - _____ Research and Evaluation Independence and Integrity (see page 23)
 - _____ Letters from Essential Team Members* (see page 25)
 - _____ Program Timeline (see page 25)
 - _____ Position Descriptions and Resumes (see page 26)
 - _____ Letters of Support (see page 26)
- _____ Request and Justification for Employee Compensation; Waiver (if applicable) (see page 14)

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

Appendix A
Swift, Certain, and Fair Supervision Program
Resource Materials

Anchorage PACE: Probation Accountability with Certain Enforcement:

www.ajc.state.ak.us/reports/pace2011.pdf

http://justice.uaa.alaska.edu/forum/28/2-3summerfall2011/c_pace.html

BJA Center for Research Partnerships and Program Evaluation (CRPPE)

<https://www.bja.gov/programs/crppe/>

CrimeSolutions.gov

<http://www.crimesolutions.gov/>

CrimeSolutions.gov: Hawaii Opportunity Probation with Enforcement (HOPE) page:

<http://www.crimesolutions.gov/ProgramDetails.aspx?id=49>

Example of a Warning Hearing:

<http://www.nij.gov/topics/corrections/community/drug-offenders/documents/229023-appendix-2-example-warning-hearing.pdf>

Identifying and Working With a Research Partner:

Frequently Asked Questions and Answers

<http://www.psnmsu.com/documents/ResearchPartnerQ&A.pdf>

National Institute of Justice (NIJ) "Swift and Certain" sanctions web page:

<http://www.nij.gov/topics/corrections/community/drug-offenders/pages/hawaii-hope.aspx>

National Network for Safe Communities: Swift, Certain, and Fair web page:

<http://nnscommunities.org/our-work/strategy/swift-certain-fair>

NIJ Report: Managing Drug-Involved Offenders:

<https://www.ncjrs.gov/pdffiles1/nij/grants/247315.pdf>

South Dakota's 24/7 Sobriety project:

www.rand.org/content/dam/rand/pubs/research_briefs/2012/RAND_RB9692.pdf

http://www.rand.org/pubs/external_publications/EP51155.html

Swift, Certain, and Fair Resource Center:

<http://scfcenter.org/>

Appendix B
Possible Members of the SCF Supervision Team

Stakeholders that may be integral to the success of an SCF Supervision Program:

- Chief judge
- One main SCF/HOPE judge, with a back-up SCF/HOPE judge
- Community correction leadership and officers
- Court administrator and staff
- Prosecutor
- Public defender/defense attorneys
- Law enforcement
- Jail administrator

| Roles and Responsibilities of Possible Members of the SCF Supervision Team | |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Chief Judge | The chief justice should give a letter of consent to support the program in her or his state since the judge is integral to all aspects of program fidelity. |
| The SCF/HOPE Judge, with a Back-up SCF/HOPE Judge | The judge presiding over an SCF calendar is responsible for delivering warning hearings to SCF/HOPE probationers, setting the sanctions for missed appointments or positive drug tests in Motions to Modify hearings, and revoking probation; and determining rewards for compliance. The presiding judge will also communicate key components of the program to the probation officers, attorneys, and court staff on an ongoing basis. Thus, the judge has primary oversight of the program. |
| Community Corrections Leadership and Officers | A key component of an SCF Program is the community corrections leadership and the community corrections officers. The community corrections officer serves as the front-line monitor of program compliance and ensures the process for swift, certain, and fair sanction delivery. |
| Court Administrator and Staff | The Court administrator's staff prepare for the warning hearings (often done en masse), Motions to Modify, and revocation hearings. The staff will facilitate adherence to the program and answer questions/provide guidance on the SCF court processes. |
| Prosecutor | The prosecutor represents the interest of the state or county in all SCF proceedings, including warning hearings and probation modification hearings. It is essential that the prosecutor understands the philosophy of the SCF initiative, and at least agrees to work within the SCF framework. The prosecutor should attend and be involved in team meetings. |
| Public Defender/Defense Attorneys | The public defender/defense attorney represents the interests of the probationer/parolee during the SCF proceeding. It is essential that the public defender/defense attorney understands the philosophy of the SCF initiative, and at least agrees to work within the SCF framework. The public defender/defense attorney should attend and be involved in team meetings. |
| Law Enforcement | The sheriff's office or local police department will be responsible for taking offenders who fail drug testing into custody, and also will serve arrest warrants for absconders. Bench warrants should be served within 2 to 3 days for SCF probationers/parolees. |
| Jail Administrator | The jail administrator's responsibility is to detain the probationer/parolee prior to modification hearings and ensure transport of the SCF probationers/parolees under the expedited hearing schedule. |