

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



BJA FY 21 Innovations in Reentry Initiative: Building System Capacity & Testing Strategies to Reduce Recidivism

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Overview

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications for funding for the [Innovations in Reentry Initiative](#) (IRI): Building System Capacity and Testing Reentry Strategies to Reduce Recidivism. This program furthers the Department's mission by reducing violent crime; enhancing programs to fight the addiction crisis; supporting efforts in the corrections system that punish, deter, and rehabilitate released offenders; and providing sworn law enforcement personnel with opportunities to partner with corrections and reentry practitioners.

This solicitation incorporates the [OJP Grant Application Resource Guide](#) by reference. The OJP Grant Application Resource Guide provides guidance to applicants on how to prepare and submit applications for funding to OJP. **If this solicitation expressly modifies any provision in the OJP Grant Application Resource Guide, the applicant is to follow the guidelines in this solicitation as to that provision.**

Solicitation Categories

This solicitation does not include Solicitation Categories.

Eligible Applicants:

City or township governments, County governments, Native American tribal governments (Federally recognized), State governments, Other

Other

For purposes of this solicitation, “state” means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

To advance Executive Order 13929 Safe Policing for Safe Communities, the Attorney General determined that all state, local, and university or college law enforcement agencies must be certified by an approved independent credentialing body or have started the certification process to be eligible for FY 2021 DOJ discretionary grant funding. To become certified, the law enforcement agency must meet two mandatory conditions: (1) the agency’s use of force policies adhere to all applicable federal, state, and local laws; and (2) the agency’s use of force policies prohibit chokeholds except in situations where use of deadly force is allowed by law. The certification requirement also applies to law enforcement agencies receiving DOJ discretionary grant funding through a subaward. For detailed information on this new certification requirement, please visit <https://cops.usdoj.gov/SafePolicingEO> to access the Standards for Certification on Safe Policing for Safe Communities, Implementation Fact Sheet, and List of Designated Independent Credentialing Bodies.

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

Contact Information

For technical assistance with submitting the **SF-424 and SF- LLL** in Grants.gov, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at [Grants.gov customer support webpage](#), or email at support@grants.gov. The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the **full application** in DOJ’s Justice Grants System (JustGrants), contact the JustGrants Service Desk at JustGrants.Support@usdoj.gov or at 833-872-5175. The JustGrants Service Desk operates 5 a.m. to 9 p.m. EST Monday - Friday and 9 a.m. to 5 p.m. Saturday, Sunday, and federal holidays.

An applicant that experiences unforeseen Grants.gov or JustGrants technical issues beyond its control that prevent it from submitting its application by the deadline must email the the National Criminal Justice Reference Service Response Center (Response Center) at grants@ncjrs.gov **within 24 hours after the application deadline** to request approval to submit its application after the deadline.

For assistance with any other requirements of this solicitation, contact the Response Center by telephone at 800–851–3420 or TTY: 301–240–6310 (hearing impaired only) or by email at grants@ncjrs.gov. Response Center hours of operation are 10 a.m. to 6 p.m. eastern time Monday through Friday, and 10 a.m. to 8 p.m. eastern time on the solicitation close date.

Submission Information

In FY 2021, applications will be submitted to DOJ in a **NEW** two-step process.

Step 1: Applicants will submit an **SF-424 and an SF-LLL** in Grants.gov at <https://www.grants.gov/web/grants/register.html>. To register in Grants.gov, applicants will need to obtain a Data Universal Numbering System (DUNS) and System for Award Management (SAM) registration or renewal.

Step 2: Applicants will submit the **full application** including attachments in JustGrants at JustGrants.usdoj.gov.

To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline.

OJP encourages applicants to review, the "How to Apply" section in the [OJP Grant Application Resource Guide](#).

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Program Description

Overview

The FY 2021 Innovations in Reentry Initiative (IRI): Building System Capacity and Testing Reentry Strategies provides state and local jurisdictions and Indian tribes with the resources to identify assets and gaps in their reentry systems and improve their overall approach to reentry.

Statutory Authority

34 U.S.C. 10631

Specific Information

This program will help jurisdictions assess their reentry system, identify strengths and gaps, and then build capacity for either improving reentry systems generally or improving service delivery by implementing or expanding a reentry program.

This program has many detailed statutory requirements, outlined in Section 101 of the Second Chance Act, listed below in “Mandatory Requirements.” BJA will work with grantees to satisfy those requirements through the Phases and Deliverables outlined below. Additionally, applicants awarded under this solicitation will receive expert technical assistance via the [National Reentry Resource Center](#) (NRRRC) to build their capacity to evaluate and sustain grant-funded reentry efforts.

In applying for these grants, applicants agree to cooperate in any and all related research efforts and program evaluations by collecting and providing enrollment and participation data during all years of the program. Applicants also agree to provide detailed individual-level data, if requested, in the format specified by OJP during this time period.

Applicants further agree to implement random or other modes of participant assignment required by the evaluation design, cooperate with all aspects of the evaluation project, and provide comparable individual-level data for comparison group members.

Goals, Objectives, Deliverables, and Timeline

Grantees will work with BJA to identify system gaps and then implement improvements to enhance the effectiveness of their reentry system or to implement or enhance a reentry program to reduce recidivism among a specific target population. Projects should propose to meet the following three-phased approach: Planning, Implementation, and Evaluation over the 4-year grant period:

Phase 1: Planning (up to 12 months)

During the planning phase, grantees will have access up to \$75,000 of the grant award (see Federal Award Information section), will be required to participate in technical assistance, and will be required to complete and submit an Action Plan to guide implementation.

Deliverable 1: Task Force Review.

- Engage a reentry task force to examine policies and practices in four capacity areas: data-driven decision making, staff allocation to maximize impact, quality and capacity of community providers to address client needs, and other barriers to successful reentry, such as housing.
- Engage a third-party evaluator in a research-practitioner partnership throughout the award period.

Deliverable 2: Assessment Results and Action Plan.

Develop an action plan to address gaps and deficits identified in the assessment.

- Project can propose either general system improvements to benefit all offenders in reentry or a reentry program focused on reducing recidivism among a target population (minimum 150 over grant period) — specific subset or subsets of reentering offenders — identified through data analysis as having a relatively high recidivism rate, a specific demographic or set of demographics (e.g., age, gender), returning to a particular jurisdiction area where a disproportionate population of offenders will be released from prisons or jails (e.g., specific neighborhood or ZIP code), or who are housed in the same facility prior to release.

Phase 2: Implementation (24 months)

Deliverable 3: Preliminary Process Evaluation Reflecting System Improvements Due at 30 Months.

Once a grantee's Action Plan is approved by BJA, the grantee will proceed to the implementation phase to test strategies for addressing gaps and deficits and implementing this proposed project with the remainder of their grant funds.

Phase 3: Evaluation and Sustainability (12 months)

Deliverable 4: Preliminary Outcome and/or Impact Evaluation Due at 36 Months.

Deliverable 5: Final Process Evaluations Due at Grant Closeout, 90 Days After End of Grant Period (51 Months).

The goal of this phase is for the grantee to track recidivism and other outcomes defined in the evaluation to assess effectiveness of their project. Recidivism measures must include arrest, conviction, and incarceration. See Appendix C for full list.

Mandatory Second Chance Act Requirements

Section 101 of the Second Chance Act, as amended by the Second Chance Reauthorization Act of 2018, outlines Mandatory Requirements that must be satisfied by an applicant in order to be eligible for an IRI grant. BJA expects that some may be in the preliminary stages of development at the time of application and will be completed during the grant period with assistance from the NRRC and demonstrated through the objectives and deliverables enumerated above. The Mandatory Requirements are to establish, maintain, and document:

1. A reentry strategic plan that describes the jurisdiction's long-term reentry strategy to increase public safety and reduce recidivism, including measurable annual and 3-year performance outcomes. A specific objective of the plan should be to reduce recidivism over a 3-year period for offenders impacted by IRI. (*Deliverable 3: Action Plan*).
2. A detailed reentry implementation schedule and sustainability plan for the program. (*Deliverable 3: Action Plan*)
3. The establishment and ongoing engagement of a reentry task force, including relevant state, tribal, territorial, or local leaders and representatives of relevant agencies, service providers, nonprofit organizations, and other key stakeholders. The task force should:
 - a. Examine ways to pool resources and collect data and best practices in reentry from stakeholder agencies and organizations.
 - b. Identify and address barriers to successful reentry, including barriers that are policy or procedural in nature.
 - c. As appropriate, engage nonprofit organizations, crime victims and offenders, families of offenders, reentry coordinating council, or other interested parties. (*Deliverable 1: Task force documentation*)
4. An independent evaluation of grant activities that include, to the extent possible, random assignment and controlled studies to determine the effectiveness of such programs. (*Deliverables 4 and 5: Process and outcome evaluations*)
5. Evidence of collaboration with state and local government agencies overseeing health, mental health, housing, homeless services, child welfare, education, substance abuse, victims' services, state child support, and employment services, and with local law enforcement agencies. (*Deliverables 1, 2, and 3: Task force documentation, assessment results, and Action Plan*)
6. Consideration of the role of state corrections departments, parole and probation agencies, and local jail corrections systems in ensuring successful reentry in their communities. Applications must include letters of support from corrections officials responsible for facilities or offenders to be served through this program. (*Deliverables 1, 2, and 3: Task force documentation, assessment results, and Action Plan*)
7. Explicit support of the chief executive officer of the applicant unit of government or Indian tribe and how this office will remain informed and connected to the activities of the program. (*Deliverable 1: Task force documentation, assessment results, and Action Plan*)
8. Understanding of evidence-based methods and outcome measures that will be used to

evaluate the impact of the program. (*Deliverables 3-5: Action Plan, process and outcome evaluations*)

9. Description of how the program or strategy could be scaled up or broadly replicated if demonstrated to be effective. (*Deliverables 4 and 5: Process and outcome evaluations*)
10. A plan to analyze the statutory, regulatory, rules-based, and practice-based hurdles to reentry. (*Deliverable 2: System assessment*)

Strategic Support and Assistance to Grantees Selected under this Solicitation
BJA will provide a training and technical assistance (TTA) coach at no cost to the grantees awarded under this solicitation to provide strategic support and assistance during the life of this grant. The TTA coach will also work with the grantees to leverage resources available through the "<https://nationalreentryresourcecenter.org/>" [National Reentry Resource Center](#) (NRRC). The NRRC serves as a clearinghouse for current information related to reentry and intersecting topics.

The Goals, Objectives, and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed under Application and Submission Information.

Evidence-Based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policymaking and program development in criminal justice, juvenile justice, and crime victim services. For additional information and resources on evidence-based programs or practices, see the [OJP Grant Application Resource Guide](#).

Information Regarding Potential Evaluation of Programs and Activities

OJP may conduct or support an evaluation of the programs and activities funded under this solicitation. For additional information, see the [OJP Grant Application Resource Guide](#) section entitled "Information Regarding Potential Evaluation of Programs and Activities."

OJP Priority Areas

In FY 2021 and in addition to executing any program-specific prioritization that may be applicable, OJP will give priority consideration to applications as follows:

- Applications from federally-recognized tribes.
- Applications that address specific challenges that rural communities face.
- Applications that demonstrate that the individuals who are intended to benefit from the requested grant reside in high-poverty areas or persistent-poverty counties.
- Applications that offer enhancements to public safety in economically distressed communities (Qualified Opportunity Zones).
- Where the application is from a State or local government entity that operates at least one correctional facility (as defined at 34 U.S.C. 10251(a)(7)), applications that go to enhancing criminal justice and public safety by indicating agreement to comply with

award conditions related to cooperation with federal law enforcement, as set forth in Appendix E.

To receive priority consideration under the rural priority, applicants must describe what makes the geographic service area rural (using U.S. Census or other appropriate government data; for assistance, applicants may wish to refer to <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html>), how isolated the area is from needed services, and how they will address specific challenges in rural communities.

To receive priority consideration under the poverty priority, the applicant must provide information to demonstrate that the individuals who are intended to benefit from the requested grant reside in high-poverty areas or persistent poverty counties. For purposes of this priority consideration, the term “high-poverty area” means any census tract with a poverty rate of at least 20 percent as measured by the 2013–2017 5-year data series available from the American Community Survey of the Census Bureau (applicants may search by census tract at <https://www.census.gov/acs/www/data/data-tables-and-tools/narrative-profiles/2017/>) and the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates (applicants may search by county at <https://www.census.gov/data/tables/time-series/dec/census-poverty.html> and at <https://www.census.gov/programs-surveys/saipe.html>).

To receive priority consideration under the Qualified Opportunity Zones priority, applicants must include information that specifies how the project will enhance public safety in the specified QOZs. For resources on QOZs, and for a current list of designated QOZs, see the U.S. Department of the Treasury’s resource webpage, accessible at <https://www.cdffund.gov/pages/opportunity-zones.aspx>

To receive priority consideration for enhancing criminal justice and public safety by agreeing to comply with award conditions related to cooperation with federal law enforcement, applicants must sign and submit the certification provided in Appendix C. Please note that the “applicant” does not include partner agencies that may collaborate with the applicant to advance the program objectives but will not receive funding from the award. Only the actual applicant for federal funding is eligible to sign the certification(s) and agree to the award condition(s).

OJP policy priority consideration will consist of receiving additional points in the application scoring process. Receipt of priority consideration does not guarantee that an application will be funded; nor will the failure to receive priority consideration necessarily mean that an application will not be funded.

Program-specific Priority Areas

In FY 2021, and in addition to executing any OJP policy prioritization that may be applicable, priority consideration will be given to applications as follows:

1. Applications that propose to reduce violent recidivism among medium- and high-risk offenders through validated assessment tools. The proposals should include a description of how this group will be identified and demonstrate access to and use of relevant data.

2. Applications that target offenders with histories of homelessness, substance abuse, or mental illness, including a prerelease assessment of the housing status of the offender and their behavioral health needs to inform individual release plans that coordinate mental health, substance abuse, and homelessness services systems to achieve stable and permanent housing outcomes with appropriate support service.
3. Applications that propose to improve reentry-related services in geographic areas with disproportionately large numbers of reentrants. Proposals should include data to demonstrate that a higher concentration of adults return from incarceration to the identified community than to others in the jurisdiction or the surrounding jurisdictions.
4. Applications that employ randomized controlled trial (RCT) methods to assess the effectiveness of programs and practices. A strong RCT design should include low sample attrition, sufficient sample size, and close adherence to random assignment, valid outcome measures, and statistical analyses.

To receive priority consideration under any of these program-specific priority considerations, applicants must indicate, on the applicant's Mandatory Chief Executive Assurance to Comply with Statutory and Program Requirements, at Appendix B, that the applicant seeks priority consideration.

Federal Award Information

Awards, Amounts and Durations

Anticipated Number of Awards

4

Anticipated Maximum Dollar Amount of Awards

\$1,000,000.00

Period of Performance Start Date

10/1/21 12:00 AM

Period of Performance Duration (Months)

48

Anticipated Total Amount to be Awarded Under Solicitation

\$4,000,000.00

Continuation Funding Intent

BJA may, in certain cases, provide additional funding in future years to awards made under this solicitation, through continuation awards. OJP will consider, among other factors, OJP's strategic priorities, a recipient's overall management of the award, and progress of award funded work, when making continuation award decisions.

Availability of Funds

This solicitation, and awards (if any are made) under this solicitation, are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by the agency or by law. In addition, nothing in this solicitation is intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Types of Awards

BJA expects to make awards under this solicitation as grants. See the "Administrative, National Policy, and Other Legal Requirements" section of the [OJP Grant Application Resource Guide](#) for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants (and cooperative agreements).

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. 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. See [OJP Grant Application Resource Guide](#) for additional information.

Budget Information

In addition to the unallowable costs identified in the DOJ Grants Financial Guide, award funds may not be used for: prizes/rewards/entertainment/trinkets or any type of monetary incentive, client stipends, gift cards, vehicles, or food and beverages.

Cost Sharing or Matching Requirement

Pursuant to 34 U.S.C. 10631, this solicitation requires a **50 percent match**; 50 percent of the match must be a cash match, and the remaining 50 percent of the match may be in-kind. An applicant must identify the source of the 50 percent nonfederal portion of the total project costs and how it will use match funds. Match funds may be used only for purposes that would be allowable for the federal funds. See [OJP Grant Application Resource Guide](#) for additional information on this match requirement.

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

Note: The budget detail should distinguish cash from in-kind matched funds using an asterisk to show what percentage of the budget is cash. Once incorporated into the OJP-approved budget, the match becomes mandatory and subject to audit.

Match Waiver: Pursuant to an appropriations provision (section 213; Pub. L. No. 116-93, 133 Stat 2317, 2414), the match may be waived for fiscal hardship upon request by a grantee. To be considered for a waiver of match, a letter of request signed by the Authorized Representative must be submitted with the application defining the fiscal hardship. Fiscal hardship may be defined in terms related to reductions in overall correctional budgets, furloughing or reductions in force of correctional staff, or other similar documented actions which have resulted in severe budget reductions. A match waiver request must be submitted as a separate attachment to the application and submitted through JustGrants.

The formula for calculating the match is:

Federal Award Amount = Adjusted (Total) Project Costs

Federal Share Percentage

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

A match waiver request must be submitted as a separate attachment to the application and titled as the "Match Waiver."

Pre-agreement Costs (also known as Pre-award Costs)

See the [OJP Grant Application Resource Guide](#) information on Pre-agreement Costs (also known as Pre-award Costs).

Limitation on Use of Award Funds for Employee Compensation: Waiver

See the [OJP Grant Application Resource Guide](#) information on Limitation on Use of Award Funds for Employee Compensation; Waiver.

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

See the [OJP Grant Application Resource Guide](#) for information on Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs.

See the [OJP Grant Application Resource Guide](#) for information on Costs Associated with Language Assistance.

Eligibility Information

Eligible applicants include:

- State governments
- City or township governments
- County governments
- Native American tribal governments (Federally recognized)

Application and Submission Information

The following application elements **MUST** be included in the application submission for an application to meet the basic minimum requirements (BMR) to advance to peer review and receive consideration for funding:

- Proposal Abstract,
- Proposal Narrative,
- Budget Worksheet and Budget Narrative (web-based form)
- Assurance to Collect and Submit Recidivism Indicator Data (Appendix B)

See the “Application Elements and Formatting Instructions” section of the [OJP Grant Application Resource Guide](#) for information on what happens to an application that does not contain all the specified elements or that is nonresponsive to the scope of the solicitation.

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

The SF-424 will be submitted in Grants.gov. The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the [OJP Grant Application Resource Guide](#) for additional information on completing the SF-424.

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.”)

Standard Applicant Information (JustGrants 424 and General Agency Information)

The Standard Applicant Information section of the JustGrants application is pre-populated with the SF-424 data submitted in Grants.gov. Applicants will need to review the Standard Applicant Information in JustGrants and make edits as needed. Within this section, applicants will need to: add

zip codes for areas affected by the project; confirm their Authorized Representative; and verify the organization's legal name and address.

Proposal Abstract

A proposal abstract (no more than 400 words) summarizing the proposed project including primary activities, products and deliverables, the service area, and who will benefit from the proposed project, will be completed in the JustGrants Web-based form.

Proposal Narrative

The proposal narrative should be submitted as an attachment in JustGrants. The attached document should be double-spaced, using a standard 12-point Times New Roman font; have no less than 1-inch margins; and should not exceed 15 pages. Pages should be numbered and submitted as an attachment. If the proposal narrative fails to comply with these length restrictions, BJA may negatively consider such noncompliance in peer review and in final award decisions.

The following sections must be included as part of the proposal narrative:

a. Description of the Issue

- Describe in detail how your organization meets the Mandatory Second Chance Act Requirements (Section 101).
- Describe and demonstrate understanding of the nature and scope of the problems with reentry, using data and research as support.
- Describe successful efforts to date that address the needs identified, including:
 - How risk and need assessments are currently utilized to develop individualized transition/reentry plans.
 - Data collection and analysis methodology.
- Describe the need for assistance and resources to address the problem.
 - Indicate the jurisdiction or tribe to be served and include details on the target population, the number of adult offenders to be served and returning to the community, and the number and offense type for offenders in facilities.
 - Provide a baseline recidivism rate for the proposed target population and discuss what level of reduction in recidivism you would consider to be successful. If the applicant does not have a baseline recidivism rate for a historical sample of formerly incarcerated individuals **similar to the target population**, provide a rate for **another** population. For instance, use a recidivism rate for formerly incarcerated individuals who have been released from a local prison or jail **such as a facility or a systemwide recidivism rate**. Make sure to include a description of the type of recidivism rate targeted such as arrest, conviction, revocation, and/or reincarceration. Also, provide an explanation of the population (demographics, risk level, offense type), the follow-up period length (post-release), and the dates when the recidivism rate was calculated.
 - Identify and define the specific subset of offenders, or combination of subsets, that are proposed to be the target population of the

program. For example, jurisdictions may choose to specifically target offenders returning from incarceration who are: a specific demographic or set of demographics (age, gender, etc.), returning to a jurisdiction (e.g., specific community, neighborhood, or ZIP code) where a disproportionate population of offenders will be released from prisons or jails, or housed in the same facility.

- Detailed information on the number of offenders to be serviced through the program. Applicants are encouraged to provide services for a minimum of 150 offenders throughout the funding period, with a majority of offenders served to be under parole and probation supervision.

b. Project Design and Implementation

- Describe in detail how the proposed program addresses the Objectives, Deliverables, and Program Requirements specified.
- Use data to support the program design.
- Describe the roles and responsibilities of each partner and how they will be integrated into the applicant's proposed strategy. Include how the target population will be identified.
- Provide a description of both the pre- and post-release services to be provided for every program participant.
- Indicate the number of offenders (reentrants) who would receive services over the length of the program period if this proposal is funded. If awarded funds, grantee performance will be measured against this number.
 - If the applicant is requesting funds for a program that is currently operational, the applicant must state how many offenders the program has served (who meet the stated target population characteristics) over the past 6 months.
 - If the applicant is proposing to implement a new program, the applicant must state how many offenders met the target population characteristics within the past 6 months.

c. Capabilities and Competencies

- Describe how the proposed structure and staffing that will facilitate the deliverables of the required services and tasks are outlined in the Timeline/Program Plan. Information regarding the personnel assigned to these tasks and whether their résumés and role descriptions are included will contribute to the assignment of points relative to this criterion.

d. Plan for Collecting the Data Required for this Solicitation's Performance Measures

- Describe the manner in which the data required for this solicitation's performance measures will be collected, including the system(s) used and the person(s) responsible.
- Describe whether and how other relevant performance metrics will

be documented, monitored, and evaluated.

Note: applicants are **not** required to submit performance data with the application. Rather, performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under an award.

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the goals, objectives, and deliverables identified under “Goals, Objectives, and Deliverables.”

Applicants can also visit OJP’s performance measurement page at www.ojp.gov/performance for an overview of performance measurement activities at OJP.

Award recipients will be required to submit performance measure data in the Performance Measurement Tool (PMT) and/or JustGrants. Examples of the performance measures questionnaire can be found at: <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/IRI-Measures.pdf>.

Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations must follow the guidance under “Note on Project Evaluations” in the [OJP Grant Application Resource Guide](#).

Goals, Objectives, Deliverables, and Timeline

Applicants will submit the Innovations in Reentry Initiative goals, objectives, deliverables, and timelines in the JustGrants Web-based form. See the [OJP Grant Application Resource Guide](#) for additional information.

Budget and Associated Documentation

Budget Worksheet and Budget Narrative (Web-based Form)

Applicants will complete the JustGrants web-based budget form. See the [OJP Grant Application Resource Guide](#) for additional information.

Indirect Cost Rate Agreement (if applicable)

Applicants will submit their indirect cost rate agreement by uploading the agreement as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

Financial Management Questionnaire (including applicant disclosure of high-risk status)

Applicants will download the questionnaire in JustGrants and submit by uploading the completed questionnaire as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

Disclosure of Process Related to Executive Compensation

If applicable, applicants will submit a description of the process used to determine compensation by uploading the document as an attachment in JustGrants. See the “Application Attachments” section of the [OJP Grant Application Resource Guide](#) for information.

Match Waiver

If applicable, applicants must submit a letter of request signed by the Authorized Representative defining the fiscal hardship by uploading the document as an attachment in JustGrants.

Additional Application Components

Applicants will attach the additional requested documentation in JustGrants.

Tribal Authorizing Resolution

If applicable, applicants will submit the Tribal Authorizing Resolution by uploading the resolution as an attachment in JustGrants. An application in response to this solicitation may require inclusion of information related to a tribal authorizing resolution as an attachment. See the [OJP Grant Application Resource Guide](#) for information on tribal authorizing resolutions.

Letters of Support

Letter from Applicant Agency Executive demonstrating agency commitment to the program and to the research plan. (Note that the executive must also sign the Assurance in Appendix B that aggregate recidivism indicator data will be submitted as required.)

Letter from the Research Partner demonstrating commitment to the program.

Letters of Support/ Memoranda of Agreement (MOA) from all key partners, detailing the commitment to work with reentry initiative partners to promote the mission of the program. The Letter of Support from the lead organization responsible for the operational aspects of the program must include:

1. Certification that the lead agency has consulted with other local parties.
2. The following statement: “The agency agrees to provide individual criminal history information for all participants to evaluators, unless prohibited by law. These data will be provided in response to periodic requests from the grantees and evaluator throughout the period of performance of this program to capture both criminal history prior to the program enrollment and subsequent recidivism.”

Documentation of Anticipated Benefit to Qualified Opportunity Zones (if applicable)

As is mentioned above, OJP will give priority consideration in award decisions to designated Qualified Opportunity Zones (QOZs). Each applicant proposing to receive priority consideration under the Qualified Opportunity Zones priority must provide a sufficient narrative explanation in order for OJP to identify clearly the public safety benefit the applicant anticipates that its project will have on a specified QOZ(s). The narrative and the list of affected QOZs (by census tract number) must be included as an attachment that is clearly labeled as addressing QOZs. The applicant may also include tables, charts, graphs, or other relevant illustrations that may be useful in comprehending the manner in which the proposed project is anticipated to benefit a QOZ(s). Applicants will submit the narrative by uploading the document as an attachment in JustGrants.

Research and Evaluation Independence and Integrity Statement

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. Applicants will submit a description of their research and evaluation independence and integrity by uploading the document as an attachment in JustGrants. For additional information regarding demonstrating research/evaluation independence and integrity, including appropriate safeguards, see the [OJP Grant Application Resource Guide](#).

Documentation of Rural Challenges (if applicable)

As is mentioned above, OJP will give priority consideration in award decisions to applications that address specific challenges that rural communities face. Each applicant proposing to receive priority consideration under the rural priority must provide a sufficient narrative to include what makes the geographic service area rural (using U.S. Census or other appropriate government data), how isolated the area is from needed services, and how it will address specific challenges in rural communities. Applicants will submit the narrative by uploading the document as an attachment in JustGrants.

Documentation of High-Poverty Areas or Persistent-Poverty Counties (if applicable)

As mentioned above, OJP will give priority consideration in award decisions to applications that demonstrate that the individuals who will benefit from the requested grant reside in high-poverty areas or persistent-poverty counties as defined above. Each applicant proposing to receive consideration under the High-Poverty Areas or Persistent-Poverty Counties priority

must provide a sufficient narrative explanation to identify each specific High-Poverty Area (by census tract number(s)) and/or each specific Persistent-Poverty County where individuals are intended to benefit from the requested grant and how the requested grant will address specific challenges in each such identified area and/or county. Applicants will submit the narrative by uploading the document as an attachment in JustGrants.

Certification Regarding Enhancing Criminal Justice and Public Safety through Cooperation with Federal Law Enforcement (if applicable)

As is mentioned above, OJP will give priority consideration in award decisions to State or local government entity applicants that operate at least one correctional facility (as defined at 34 U.S.C. 10251(a)(7)), and agree to comply with award conditions related to cooperation with federal law enforcement, as set forth in Appendix E. Each such applicant proposing to receive priority consideration for such cooperation with federal law enforcement must sign and submit the certification provided in Appendix E.

Assurance to Collect and Submit Recidivism Indicator Data

Letter from Applicant Agency Executive demonstrating agency commitment to the program and to the research plan. (Note that the executive must also sign the Assurance in Appendix B that aggregate recidivism indicator data will be submitted as required.)

Disclosures and Assurances

Applicants will complete the following disclosures and assurances.

Disclosure of Lobbying Activities

Applicants will complete and submit the SF-LLL in Grants.gov. See the [OJP Grant Application Resource Guide](#) for additional information.

DOJ Certified Standard Assurances

See the DOJ Certified Standard Assurances in the [OJP Grant Application Resource Guide](#).

Applicant Disclosure of Duplication in Cost Items

Applicants will complete the JustGrants web-based Applicant Disclosure of Duplication in Cost Items form. See the [OJP Grant Application Resource Guide](#) for additional information.

DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

Applicants will review and accept the DOJ Certified Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements. See [OJP Grant Application Resource Guide](#).

Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable)

If applicable, applicants will submit as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information. A DOJ High Risk Grantee is a recipient that has received a DOJ High Risk designation based on a documented history of unsatisfactory performance, financial instability, management system or other internal control deficiencies, or noncompliance with award terms and conditions on prior awards, or that is otherwise not responsible

How to Apply

Applicants will submit an **SF-424** and an **SF-LLL** in Grants.gov at <https://www.grants.gov/web/grants/register.html>.

Applicants will submit the **full application** including attachments in JustGrants at [JustGrants.usdoj.gov](https://www.justgrants.usdoj.gov).

For additional information, see the “How to Apply” section in the [OJP Grant Application Resource Guide](#).

Submission Dates and Time

The **SF-424** and the **SF-LLL** will be submitted in Grants.gov by April 13, 2021 at 11:59 pm EST. OJP urges applicants to submit applications at least 72 hours prior to the application due date 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.

The **full application** will be submitted in JustGrants by April 27, 2021 at 11:59 pm EST.

To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline.

Review Criteria

Consistent with the objectives and deliverables outlined above, applicants should include in their proposals:

1. A summary description of the problem to be addressed through this grant.
2. A self-assessment indicating how agency practices align with best and evidence-based supervision practices outlined in the objectives above and identifying areas for improvement.
3. Data-driven, evidence-based, and/or innovative grant activities to build capacity in one or more areas assessed as needing improvement.
4. Demonstrated understanding of, and a plan (if applicable) to utilize, the action research approach of incorporating a research partner to assist with unpacking the problem, implementation, and evaluation.
5. Demonstration of agency-wide commitment to align policies and practices with recidivism and crime reduction objectives and continuous quality improvement.

Applications that meet basic minimum requirements will be evaluated by peer reviewers. Applications will be evaluated on how the proposed project/program addresses the following criteria:

1. Description of the Issue (20%) - evaluate the applicant's understanding of the program/issue to be addressed. .
2. Project Design and Implementation (35%)- evaluate the adequacy of the proposal, including the goals, objectives, timelines, milestones, and deliverables.
3. Capabilities and Competencies (10%) - evaluate administrative and technical capacity of the applicant to successfully accomplish the goals and objectives.
4. Plan for Collecting the Data Required for this Solicitation's Performance Measures (5%) - evaluate the applicant's understanding of the performance data reporting requirements and the plan for collecting the required data.
5. Budget (5%) - evaluate for completeness, cost effectiveness, and allowability. Budget Narratives should generally demonstrate how applicants will maximize cost effectiveness of grant expenditures. Budget Narratives should demonstrate cost effectiveness in relation to potential alternatives and the objectives of the program.
6. Impact/Outcomes, Evaluation, Sustainability (25%) -
 - Describe the strategy/methodology for assessing the ability of the program to assess participant risk levels and criminogenic needs and to track that the responsiveness and dosage of services provided are individualized and attendant to the risks/needs of participants.
 - Describe the strategy/methodology for tracking unique participant identifiers, gaining access to recidivism data, and reporting this data to BJA.
 - Describe how performance will be documented, monitored, and evaluated, and identify the impact of the strategy once implemented.

- Discuss how this effort will be integrated into local justice system plans or commitments.
- Describe how the program will be financially sustained after federal funding ends, and the expected long-term results for the program.

b. Additional Review Criteria

Other important considerations for BJA include geographic diversity, strategic priorities (specifically including, but not limited to, those mentioned above relating to addressing specific challenges that rural communities face, high-poverty areas or persistent-poverty counties, demonstrable potential enhancement to public safety in one or more federally designated Qualified Opportunity Zones), available funding, past performance, and the extent to which the Budget Worksheet and Budget Narrative (Web-based Form) accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

Review Process

Applications submitted under this solicitation that meet basic minimum requirements, will be evaluated for technical merit by a peer review panel(s) in accordance with OJP peer review policy and procedures using the stated review criteria above.

OJP screens applications to ensure they meet the basic minimum requirements prior to conducting peer review. 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 necessary to meet the basic minimum requirements.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by the applicant. 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.

In addition, if OJP anticipates that an award will exceed \$250,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

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

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.

Federal Award Notices

See the [OJP Grant Application Resource Guide](#) for information on award notifications and instructions.

Administrative, National Policy, and Other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, and all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance).

For additional information on these legal requirements, see the “Administrative, National Policy, and Other Legal Requirements” section in the [OJP Grant Application Resource Guide](#).

Information Technology (IT) Security Clauses

An application in response to this solicitation may require inclusion of information related to information technology security. See the [OJP Grant Application Resource Guide](#) for information on information technology security.

General Information about Post-Federal Award Reporting Requirements

In addition to the deliverables described in the Program Description section, any recipient of an award under this solicitation will be required to submit certain reports and data.

Required reports. Recipients typically must submit quarterly financial reports, 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.)

See the [OJP Grant Application Resource Guide](#) for additional information on specific post-award reporting requirements, including performance measures data.

Federal Awarding Agency Contact(s)

For OJP contact(s), see page 2.

For contact information for Grants.gov, see page 2.

Other Information

552a)

See the [OJP Grant Application Resource Guide](#) for information on Freedom of Information and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a).

Provide Feedback to OJP

See the [OJP Grant Application Resource Guide](#) for information on how to provide feedback to OJP.

Performance Measures

See Plan for Collecting the Performance Measures section.

Application Checklist

Innovations in Reentry Initiative

This application checklist has been created as an aid in developing an application.-

What an Applicant Must Do:

Prior to Registering in Grants.gov:

- Acquire a DUNS Number (see [OJP Grant Application Resource Guide](#))
- Acquire or renew registration with SAM (see [OJP Grant Application Resource Guide](#))

To Register with Grants.gov:

- Acquire AOR and Grants.gov username/password (see [OJP Grant Application Resource Guide](#))
- Acquire AOR confirmation from the E-Biz POC (see [OJP Grant Application Resource Guide](#))

To Find Funding Opportunity:

- Search for the Funding Opportunity on Grants.gov
- Select the correct Competition ID [insert if applicable]
- Access Funding Opportunity and Application Package (see [OJP Grant Application Resource Guide](#))
- Sign up for Grants.gov email [notifications](#) (optional) (see [OJP Grant Application Resource Guide](#))
- Read [Important Notice: Applying for Grants in Grants.gov](#)
- Read OJP policy and guidance on conference approval, planning, reporting available at [ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](#) (see [OJP Grant Application Resource Guide](#))

Overview of Post-Award Legal Requirements:

- Review the “ [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2021 Awards](#)” in the [OJP Funding Resource Center](#).

Scope Requirement:

- The federal amount requested is within the allowable limit(s) of \$1,000,000.

Eligibility Requirement:

- State governments
 - Special district governments
 - City or township governments
 - County governments
 - Native American tribal governments (federally recognized)
-
- Submit **SF-424** and **SF-LLL** in Grants.gov

After SF-424 and SF-LLL Submission in Grants.gov, Receive Grants.gov Email Notifications That:

- Submission has been received in Grants.gov
- Submission has either been successfully validated or rejected with errors (see [OJP Grant Application Resource Guide](#))

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

- Contact Response Center by telephone at 800–851–3420 or TTY: 301–240–6310 (hearing impaired only) or by email at grants@ncjrs.gov. Response Center hours of operation are 10 a.m. to 6 p.m. eastern time Monday through Friday, and 10 a.m. to 8 p.m. eastern time on the solicitation close date.

Receive email notification to complete application in JustGrants:

- Complete Application in JustGrants

Content of Application Submission:

The following items are critical application elements required to pass Basic Minimum Requirements review. An application that OJP determines does not include the application elements that must be included in the application submission in order for the application to meet the basic minimum

requirements, will neither proceed to peer review, nor receive further consideration.

- Proposal Abstract
- Proposal Narrative
- Budget Detail and Budget Narrative (web-based form)
- Assurance to Collect and Submit Recidivism Indicator Data

Content of Application Submission

- Information to Complete the Application for Federal Assistance (SF-424) in Grants.gov
- Standard Applicant Information (SF-424 info from Grants.gov)
- Proposal Abstract
- Proposal Narrative
 - Description of the Issue
 - Program Design and Implementation
 - Capabilities and Competencies
 - Plan for Collecting the Data Required for this Solicitation's Performance Measures
- Assurance to Collect and Submit Recidivism Indicator Data

Budget and Associated Documentation

- Budget Worksheet and Budget Narrative (Web-based form)
- Indirect Cost Rate Agreement (if applicable) (see [OJP Grant Application Resource Guide](#))
- Financial Management and System of Internal Controls Questionnaire (see [OJP Grant Application Resource Guide](#))
- Disclosure of Process related to Executive Compensation *[insert if applicable, consult with OGC]*

Additional Application Components

- Tribal Authorizing Resolution (if applicable) (see [OJP Grant Application Resource Guide](#))
- Research and Evaluation Independence and Integrity (see [OJP Grant Application Resource Guide](#))
- Documentation of rural challenges (if applicable)

- Documentation of high-poverty or persistent poverty counties (if applicable)
- Documentation of enhanced public safety in federally designated Qualified Opportunity Zones (if applicable)
- Certification Regarding Enhancing Criminal Justice and Public Safety through Cooperation with Federal Law Enforcement (if applicable)
- Letter from applicant agency executive
- Letter from research partner, if applicable
- Letters of Support/ Memoranda of Agreement (MOA) from key partners
- Request and Justification for Employee Compensation; Waiver (if applicable) (see OJP Grant Application Resource Guide)
-

Disclosures and Assurances

- [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure of Duplication in Cost Items (Pending Applications) (see [OJP Grant Application Resource Guide](#))
- DOJ Certified Standard Assurance (see [OJP Grant Application Resource Guide](#))
- DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure and Justification - DOJ High Risk Grantees (if applicable) (see [OJP Grant Application Resource Guide](#))

Submit Application in JustGrants:

- Application has been successfully submitted in JustGrants

If No JustGrants Application Submission, Validation, or Error Notifications are Received:

- Contact JustGrants.Support@usdoj.gov or 833-872-5175 regarding technical difficulties

Appendix A: Mandatory Chief Executive Assurance to Comply with Statutory and Program Requirements

The Second Chance Act of 2008 and the Second Chance Reauthorization Act of 2018 establish statutory requirements for IRI awards, including general conditions and priority considerations for applications thereto. BJA incorporates these as, and additionally establishes, program requirements and priority considerations to reflect the Attorney General's priorities.

Complete the table below to indicate whether the applicant organization seeks priority consideration, and provide assurance that the organization will meet all statutory and program requirements if awarded an IRI grant. **The Chief Executive of the applicant organization must sign this form for it to be valid. Applicants are ineligible to receive IRI grant funds if they do not assure compliance.**

<p>Priority Considerations</p> <p>Enter “Yes” or “No” to indicate whether the applicant organization seeks the following priority considerations.</p> <ol style="list-style-type: none"> 1. Reduce violent recidivism among medium- and high-risk offenders. _____ 2. Target offenders with histories of homelessness, substance abuse, or mental illness; use a pre-release assessment and individual release plans to achieve permanent housing outcomes with support services. _____ 3. Improve reentry services in geographic areas with disproportionately large number of reentrants. _____ 4. Employ randomized controlled trial (RCT) methods to assess effectiveness. _____
<p>Meet Mandatory Requirements</p> <p>Enter “Yes” to indicate assurance the applicant agency will meet the Mandatory Requirements set forth on pages 4-5, if awarded an IRI grant. _____</p> <p>Enter “Yes” to indicate assurance the applicant agency will assess their reentry system and document results in the Action Plan. _____</p>
<p>Collect and Report Recidivism Indicator Data</p> <p>Enter “Yes” to indicate assurance the applicant organization will collect unique identifiers and recidivism indicator performance data for each program participant, and will aggregate all such data and submit it via the BJA Performance Measurement Tool upon grant closeout. The inability or refusal to submit such data after the award is made may impact this project or the organization’s ability to receive future BJA competitive grant funding. _____</p>

Signature of the Chief Executive of the Applicant Organization _____

Title _____

Date _____

Appendix B: Recidivism Metrics

Per the Second Chance Reauthorization Act of 2018, passed as part of the First Step Act, IRI grantees:

1. Must partner with a third-party evaluator to use baseline data and target population characteristics to derive a target goal for recidivism reduction during the 3-year period beginning on the date of implementation of the program. The target should be derived during the planning period, as well as recidivism data captures over the 2-year implementation and additional 1-year evaluation follow-up period. See page 5.

2. Shall measure effectiveness by such metrics as:
 - a. Increased number of staff trained to administer reentry services.
 - b. Increased proportion of individuals served by the program among those eligible to receive services.
 - c. Increased number of individuals receiving risk screening needs assessment and case planning services.
 - d. Increased number of individuals' enrollment in and completion of treatment services, including substance abuse and mental health services among those assessed as needing such services.
 - e. Increased employment and education opportunities.
 - f. Increased number of individuals enrolled in and degrees earned from educational programs, including high school, GED, vocational training, and college education.
 - g. Increased number of individuals obtaining and retaining employment.
 - h. Increased number of individuals obtaining and maintaining housing.
 - a. Increased self-reports of successful community living, including stability of living situation and positive family relationships.
 - j. Reduction in drug and alcohol use.
 - k. Increased payment of child support, if appropriate.
 - ax. Reduction in violations of conditions of supervised release.
 - all. Reduction in recidivism rates for individuals receiving reentry services after release, as compared to either baseline recidivism rates in the jurisdiction of the grantee or recidivism rates of the control or comparison group.
 - n. Reduction in crime.

BJA defines recidivism as arrest, conviction, and/or incarceration. Grantees must track all three metrics and discern whether they are the result of a new offense or technical violation.

All measures should be captured from an individual's attachment to the SCA-funded activities (general system improvements or demonstration project) through the end of the evaluation follow-up period, and at intervals therein.

Appendix D: Certification regarding Cooperation with Federal Law Enforcement

I am an authorized official of the State or local government applicant entity named below and I have the authority to make this certification on behalf of the applicant. I understand that the Department will rely upon this certification as a material representation in any decision regarding an award to the applicant. On behalf of the State or local government applicant named below, and in order to receive priority consideration for its application, I certify to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), the following:

1. The State or local government applicant entity named below operates at least one correctional facility (that is, operates at least one "*place for the confinement or rehabilitation of offenders or individuals charged with or convicted of criminal offenses*" (34 U.S.C. 10251(a)(7))).
2. The applicant agrees to comply with the following four award conditions (or conditions substantially to the same effect) if it is selected to receive an award made by OJP under this solicitation:

CONDITION 1: Noninterference (within the funded "program or activity") with federal law enforcement: Interrogation of certain aliens

SCOPE. This condition applies with respect to the "program or activity" that is funded (wholly or partly) by this award, as of the date the recipient accepts the award, and throughout the remainder of the period of performance for the award. Its provisions must be among those included in any subaward (at any tier).

1. Noninterference with statutory law enforcement access to correctional facilities

Consonant with federal law enforcement statutes and regulations -- including 8 USC 1357(a), under which certain federal officers and employees "have power without warrant ... to interrogate any alien or person believed to be an alien as to his right to be or to remain in the United States," and 8 CFR 287.5(a), under which that power may be exercised "anywhere in or outside the United States" -- within the funded program or activity, no State or local government entity, -agency, or -official may interfere with the exercise of that power to interrogate "without warrant" (by agents of the United States acting under color of federal law) by impeding access to any State or local government (or government-contracted) correctional facility by such agents for the purpose of "interrogat[ing] any alien or person believed to be an alien as to his [or her] right to be or to remain in the United States."

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions (e.g., training) designed to ensure compliance with this condition.

4. Rules of construction

A. For purposes of this condition:

- (1) The term "alien" means what it means under section 101 of the Immigration and Nationality Act (INA) (8 USC 1101(a)(3)), except that, with respect to a juvenile offender, it means "criminal alien."
- (2) The term "juvenile offender" means what it means under 28 CFR 31.304(f) (as in effect on Jan. 1, 2020).
- (3) The term "criminal alien" means, with respect to a juvenile offender, an alien who is deportable on the basis of—
 - (a) conviction described in 8 USC 1227(a)(2), or
 - (b) conduct described in 8 USC 1227(a)(4).
- (4) The term "conviction" means what it means under 8 USC 1101(a)(48). (Adjudication of a juvenile as having committed an offense does not constitute "conviction" for purposes of this condition.)
- (5) The term "correctional facility" means what it means under 34 USC 10251(a)(7) as of January 1, 2020.
- (6) The term "impede" includes taking or continuing any action, or implementing or maintaining any law, policy, rule, or practice, that—
 - (a) is designed to prevent or to significantly delay or complicate, or
 - (b) has the effect of preventing or of significantly delaying or complicating.
- (7) "State" and "local government" include any agency or other entity thereof (including any public institution of higher education), but not any Indian tribe.
- (8) A "public" institution of higher education is defined as one that is owned, controlled, or directly funded (in whole or in substantial part) by a State or local government. (Such a public institution is considered to be a "government entity," and its officials to be "government officials.")
- (9) "Program or activity" means what it means under 42 USC 2000d-4a.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, any public institution of higher education, or any other entity (or individual) to violate any federal law, including any applicable civil rights or nondiscrimination law.

IMPORTANT NOTE: Any questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

CONDITION 2: No use of funds to interfere with federal law enforcement: Interrogation of certain aliens

SCOPE. This condition applies as of the date the recipient accepts this award, and throughout the remainder of the period of performance for the award. Its provisions must be among those included in any subaward (at any tier).

1. No use of funds to interfere with statutory law enforcement access to correctional facilities

Consonant with federal law enforcement statutes and regulations -- including 8 USC 1357(a), under which certain federal officers and employees "have power without warrant ... to interrogate any alien or person believed to be an alien as to his right to be or to remain in the United States," and 8 CFR 287.5(a), under which that power may be exercised "anywhere in or outside the United States" -- no State or local government entity, -agency, or -official may use funds under this award to interfere with the exercise of that power to interrogate "without warrant" (by agents of the United States acting under color of federal law) by impeding access to any State or local government (or government-contracted) correctional facility by such agents for the purpose of "interrogat[ing] any alien or person believed to be an alien as to his [or her] right to be or to remain in the United States."

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions (e.g., training) designed to ensure compliance with this condition.

4. Rules of construction

A. For purposes of this condition:

(1) The term "alien" means what it means under section 101 of the Immigration and Nationality Act (INA) (8 USC 1101(a)(3)), except that, with respect to a juvenile offender, it means "criminal alien."

(2) The term "juvenile offender" means what it means under 28 CFR 31.304(f) (as in effect on Jan. 1, 2020).

(3) The term "criminal alien" means, with respect to a juvenile offender, an alien who is deportable on the basis of—

(a) conviction described in 8 USC 1227(a)(2), or

(b) conduct described in 8 USC 1227(a)(4).

(4) The term "conviction" means what it means under 8 USC 1101(a)(48). (Adjudication of a juvenile as having committed an offense does not constitute "conviction" for purposes of this condition.)

(5) The term "correctional facility" means what it means under the title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 USC 10251(a)(7)).

(6) The term "impede" includes taking or continuing any action, or implementing or maintaining any law, policy, rule, or practice, that—

(a) is designed to prevent or to significantly delay or complicate, or

(b) has the effect of preventing or of significantly delaying or complicating.

(7) "State" and "local government" include any agency or other entity thereof (including any public institution of higher education), but not any Indian tribe.

(8) A "public" institution of higher education is defined as one that is owned, controlled, or directly funded (in whole or in substantial part) by a State or local government. (Such a public institution is considered to be a "government entity," and its officials to be "government officials.")

(9) "Program or activity" means what it means under 42 USC 2000d-4a.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, any public institution of higher education, or any other entity (or individual) to violate any federal law, including any applicable civil rights or nondiscrimination law.

IMPORTANT NOTE: Any questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

CONDITION 3: Noninterference (within the funded "program or activity") with federal law enforcement: Notice of scheduled release

SCOPE. This condition applies with respect to the "program or activity" that is funded (in whole or in part) by the award, as of the date the recipient accepts the award, and throughout the remainder of the period of performance. Its provisions must be among those included in any subaward at any tier.

1. Noninterference with "removal" process: Notice of scheduled release date and time

Consonant with federal law enforcement statutes -- including 8 U.S.C. 1231 (for an alien incarcerated by a State or local government, a 90-day "removal period" during which the federal government "shall" detain and then "shall" remove an alien from the U.S. "begins" no later than "the date the alien is released from ... confinement"; also, the federal government is expressly authorized to make payments to a "State or a political subdivision of the State ... with respect to the incarceration of [an] undocumented criminal alien"); 8 U.S.C. 1226 (the federal government "shall take into custody" certain criminal aliens "when the alien is released"); and 8 U.S.C. 1366 (requiring an annual report to Congress on "the number of illegal alien[felons] in Federal and State prisons" and programs underway "to ensure the prompt removal" from the U.S. of removable "criminal aliens") -- within the funded program or activity, no State or local government entity, -agency, or -official (including a government-contracted correctional facility) may interfere with the "removal" process by failing to provide -- as early as practicable (see para. 4.C. below) -- advance notice to DHS of the scheduled release date and time for a particular alien, if a State or local government (or government-contracted) correctional facility receives from DHS a formal written request pursuant to the INA that seeks such advance notice.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions (e.g., training) designed to ensure compliance with this condition.

4. Rules of construction

A. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, or any other entity or individual to maintain (or detain) any individual in custody beyond the date and time the individual otherwise would have been released.

B. Applicability

(1) Current DHS practice is ordinarily to request advance notice of scheduled release "as early as practicable (at least 48 hours, if possible)." (See DHS Form I-247A (3/17)). If (e.g., in light

of the date DHS made such request) the scheduled release date and time for an alien are such as not to allow for the advance notice that DHS has requested, it shall NOT be a violation of this condition to provide only as much advance notice as practicable.

(2) Current DHS practice is to use the same form for a second, distinct purpose -- to request that an individual be detained for up to 48 hours AFTER the scheduled release. This condition does NOT encompass such DHS requests for detention.

C. Both the "Rules of Construction" and the "Important Note" set out in the "Noninterference (within the funded "program or activity") with federal law enforcement: Interrogation of certain aliens" award condition are incorporated by reference as though set forth here in full.

CONDITION 4: No use of funds to interfere with federal law enforcement: Notice of scheduled release

SCOPE. This condition applies as of the date the recipient accepts the award, and throughout the remainder of the period of performance. Its provisions must be among those included in any subaward at any tier.

1. No use of funds to interfere with "removal" process: Notice of scheduled release date and time

Consonant with federal law enforcement statutes -- including 8 U.S.C. 1231 (for an alien incarcerated by a State or local government, a 90-day "removal period" during which the federal government "shall" detain and then "shall" remove an alien from the U.S. "begins" no later than "the date the alien is released from ... confinement"; also, the federal government is expressly authorized to make payments to a "State or a political subdivision of the State ... with respect to the incarceration of [an] undocumented criminal alien"); 8 U.S.C. 1226 (the federal government "shall take into custody" certain criminal aliens "when the alien is released"); and 8 U.S.C. 1366 (requiring an annual report to Congress on "the number of illegal alien[felons] in Federal and State prisons" and programs underway "to ensure the prompt removal" from the U.S. of removable "criminal aliens") -- no State or local government entity, -agency, or -official (including a government-contracted correctional facility) may use funds under this award to interfere with the "removal" process by failing to provide -- as early as practicable (see para. 4.C. below) -- advance notice to DHS of the scheduled release date and time for a particular alien, if a State or local government (or government-contracted) correctional facility receives from DHS a formal written request pursuant to the INA that seeks such advance notice.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions (e.g., training) designed to ensure compliance with this condition.

4. Rules of construction

A. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, or any other entity or individual to maintain (or detain) any individual in custody beyond the date and time the individual otherwise would have been released.

B. Applicability

(1) Current DHS practice is ordinarily to request advance notice of scheduled release "as early as practicable (at least 48 hours, if possible)." (See DHS Form I-247A (3/17)). If (e.g., in light of the date DHS made such request) the scheduled release date and time for an alien are such as not to allow for the advance notice that DHS has requested, it shall NOT be a violation of this condition to provide only as much advance notice as practicable.

(2) Current DHS practice is to use the same form for a second, distinct purpose -- to request that an individual be detained for up to 48 hours AFTER the scheduled release. This condition does NOT encompass such DHS requests for detention.

C. Both the "Rules of Construction" and the "Important Note" set out in the "No use of funds to interfere with federal law enforcement: Interrogation of certain aliens" award condition are incorporated by reference as though set forth here in full.

Signature

Date

Printed Name

Title

Name of State or Local Government Applicant Entity