

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



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## **Improving Community Supervision Outcomes Through Swift, Certain, and Fair Responses**

### **FY 2020 Competitive Grant Solicitation**

**CFDA #16.828**

**Grants.gov Solicitation Number:** BJA-2020-17096

**Solicitation Release Date:** February 28, 2020

**Application Deadline:** 11:59 p.m. eastern time on April 28, 2020

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The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications for funding state, local, and tribal community supervision agencies to develop and test new or enhanced applications of the swift, certain, and fair principles of intervention to reduce recidivism and improve outcomes for people under community supervision. This program furthers the Department's mission by reducing the number of crimes committed by people under community supervision, which in turn enhances the safety of law enforcement officers and the communities they serve, decreases re-admissions to prisons and jails, and saves taxpayer dollars.

This solicitation incorporates the [OJP Grant Application Resource Guide](#) by reference. It 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.

**Eligibility** (Who may apply):

The following entities are eligible to apply:

- States
- Units of local government
- Federally recognized Indian tribal governments (as determined by the Secretary of the Interior)

In this solicitation, "state" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands. (See 34 U.S.C. 10251.)

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

## Contact information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, at <https://www.grants.gov/web/grants/support.html>, or at [support@grants.gov](mailto: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** 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 (Grants.gov) section in the [OJP Grant Application Resource Guide](#).

For assistance with any unforeseen Grants.gov technical issues beyond an applicant’s control that prevent it from submitting its application by the deadline, or 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](mailto: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.

## Deadline Details

Applicants must register with Grants.gov at <https://www.grants.gov/web/grants/register.html> prior to submitting an application. All applications are due by 11:59 p.m. eastern time on April 28, 2020.

To be considered punctual, 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, 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.

An applicant must use the **Add Attachment** button to attach a file to its application. Do not click the paperclip icon to attach files. This action will not attach the files to the application. After adding an attachment, select the **View Attachment** button to confirm you attached the correct file. To remove the file, select the **Delete Attachment** button.

OJP encourages all applicants to read this [Important Notice: Applying for Grants in Grants.gov](#).

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

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# IMPROVING COMMUNITY SUPERVISION OUTCOMES THROUGH SWIFT, CERTAIN, AND FAIR RESPONSES CFDA #16.828

## A. Program Description

### Overview

BJA will select four applicants to develop and test new or enhanced applications of the swift, certain, and fair (SCF) principles of intervention.

**Statutory Authority:** FY20(BJA - Swift, Certain, & Fair Supervision) Pub. L. No. 116-93, 133 Stat 2317, 2408

### Program-specific Information

This grant program seeks to enhance community supervision agencies<sup>1</sup> capacity to help reduce crimes committed by, and improve outcomes for, people under supervision by using the SCF principles of intervention:

- **Swiftness**—responding to behavior promptly so that people under supervision connect the response to their behavior.
- **Certainty**—ensuring that sanctions and rewards are applied with consistency and predictability.
- **Fairness**—making sanctions proportionate to negative behavior and rewards appropriate to positive behavior.

For more information about the SCF principles and how they can be applied in diverse settings, visit <https://bja.ojp.gov/program/improving-community-supervision-outcomes-through-swift-certain-and-fair-responses/overview>.

### Objectives and Deliverables

In order to establish, expand, or improve SCF strategies so they can be sustained after the award period, BJA will make up to four awards to pursue the following objectives:

- Develop and implement supervision strategies based on the SCF principles, including responding to both positive and negative client behaviors.
- Reduce crime committed by, and improve outcomes for, people under supervision.
- Identify a target population for the SCF initiative using a collaborative, data-driven process that responds to local circumstances.<sup>2</sup>

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<sup>1</sup> Under this solicitation, “community supervision agencies” include: adult probation, parole, or pretrial supervision or their equivalents such as prosecutor-led, post-adjudication diversion.

<sup>2</sup> For examples of target populations that may be identified, visit: <https://bja.ojp.gov/program/improving-community-supervision-outcomes-through-swift-certain-and-fair-responses/overview>.

- Assemble an SCF team that has the authority to implement the required elements of the project, including decisionmaking authority concerning the terms of supervision and the capacity to assess and effectively intervene with the target population (e.g., issue and serve warrants quickly, drug testing capacity, and access to jail beds, treatment, and other services, as needed).
- Evaluate the efficacy of the SCF strategies to reduce recidivism and improve outcomes for people under community supervision.

The required deliverables are:

- An action plan, which will be a product of collaboration among the agency and the technical assistance provider.
- A final report that documents the process, intervention, outcomes, and lessons learned.

Grantees will receive technical assistance from BJA and the SCF Resource Center on each deliverable. For more information on the SCF Resource Center, visit: <https://scfcenter.org/>.

Consistent with the objectives and deliverables outlined above, applicants should include in their proposals a commitment to hire a full-time, onsite program coordinator to manage the day-to-day operations of the SCF project. The program coordinator should be housed in the community supervision agency,<sup>3</sup> have experience in the field of criminal justice, and have proven capacity to work effectively with key SCF team members such as the chief judge, court staff, parole or probation office, law enforcement, and other partners, where applicable.

The Objectives and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed under [What an Application Should Include](#).

### **Program-specific Priority Areas**

In FY 2020, and in addition to executing any OJP policy prioritization that may be applicable, priority consideration will be given to applications as follows:

- (1) Propose an SCF initiative to reduce gun violence among people under community supervision who are identified together with local and/or state law enforcement. The proposals must include a description of how these individuals will be identified and demonstrate access to and use of data and law enforcement input.

To receive priority consideration under this priority, applicants must describe, in the program narrative, how the applicant will identify individuals under community supervision and how the applicant plans to access and use data and law enforcement input.

### **OJP Policy Priority Areas**

In FY 2020, 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

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<sup>3</sup> Applicants have discretion in determining which agency would be the most suitable to house the program coordinator, based on the proposed project design and the roles and responsibilities of the partner agencies.

- 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 A

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.cdfifund.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 #A.

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.

### **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**

Applicants should note that 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 titled Information Regarding Potential Evaluation of Programs and Activities.

## **B. Federal Award Information**

Maximum number of awards BJA expects to make	4
Estimated maximum dollar amount for each award	\$750,000
Total amount anticipated to be awarded under this solicitation	\$3,000,000
Period of performance start date	October 1, 2020
Period of performance duration	48 months

BJA expects to make all awards for a 6-month planning period and 30-month intervention period, followed by a 12-month evaluation period, for a total 48-month project period. See additional details on next page.

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

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 2020 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

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 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 additional information.

### **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<sup>4</sup> as set out at 2 C.F.R.

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<sup>4</sup> The "Part 200 Uniform Requirements" means the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.



200.303, comply with standards for financial and program management. See the [OJP Grant Application Resource Guide](#) for additional information.

### **Budget Information**

The funding during the initial 6-month period should support planning activities followed by 30 months of implementation activities. Implementation may begin earlier, subject to BJA review and approval of the action plan; see additional details about the action plan under [Objectives and Deliverables](#). The budget for the final 12-month period should support evaluation activities only and may support the supervision agency's role in data collection, review, and other evaluation-specific tasks. The total budget must not exceed \$750,000.

Applicants should budget funding for three members of the SCF team (including the program coordinator) to travel to a peer-learning event (such as a regional meeting). Estimate the costs of travel and accommodations for three team members to attend one meeting per year in Washington, D.C. All expenses must be reasonable, allowable, and necessary to the project. The estimates must provide a breakdown of all costs and adhere to the federal per diem.<sup>5</sup>

### **Award Special Condition – Withholding of Funds for SCF Action Plan**

Once awarded, each grant will have in place a special condition withholding all but \$200,000, which is designated for preparing an action plan within 180 days of receiving final approval of the project's budget from the Office of the Chief Financial Officer. The recipient will not be authorized to obligate, expend, or draw down funds in excess of \$200,000 until BJA has reviewed and approved the action plan and a grant adjustment notice has been issued and approved to remove the special condition.

### **Cost Sharing or Match Requirement**

This solicitation does not require a match.

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

[Pre-agreement Costs \(also known as Pre-award Costs\)](#)

[Limitation on Use of Award Funds for Employee Compensation; Waiver](#)

[Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs](#)

[Costs Associated with Language Assistance](#) (if applicable)

## **C. Eligibility Information**

For eligibility information, see title page.

For information on cost sharing or match requirements, see [Section B. Federal Award Information](#).

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

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the "Disclosure of Process Related to Executive Compensation" provisions in the "Application Attachments" section of the [OJP Grant Application Resource Guide](#).

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<sup>5</sup> For federal per diem rates, see <https://www.gsa.gov/travel/plan-book/per-diem-rates>.



## What an Application Should Include

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: Program Narrative, Budget Detail Worksheet and Budget Narrative, and letters of support from members of the applicant's SCF team.

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 of the specified elements or that is nonresponsive to the scope of the solicitation.

### 1. Application for Federal Assistance (Standard Form (SF)-424)

The SF-424 is a required standard form used as a cover sheet for submission of preapplications, 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.")

### 2. Project Abstract

Include an abstract that summarizes the proposed project in 400 words or fewer. Project abstracts should be:

- Written for a general public audience.
- Submitted as a separate attachment with "Project Abstract" as part of its file name.
- Single-spaced, using a standard 12-point Times New Roman font with 1-inch margins.
- Clearly labeled, including the following information:
  - Legal name of the applicant and the title of the project
  - Project's objectives and deliverables
  - The projected number of participants to be serviced through the project and target population characteristics
  - Identification of all priority considerations to be addressed through the grant (if applicable)

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

### 3. Program Narrative

The program narrative 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.

If the program 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 should be included as part of the program narrative:

- a. Description of the Issue
- b. Project Design and Implementation

- c. Capabilities and Competencies
- d. Plan for Collecting Data Required for this Solicitation's Performance Measures

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 objectives and deliverables identified under "Objectives and Deliverables" in [Section A. Program Description](#).

Applicants should visit OJP's performance measurement page at [www.ojp.gov/performance](http://www.ojp.gov/performance) for an overview of performance measurement activities at OJP. The application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data.

Please note that applicants are **not** required to submit performance data with the application. 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.

Award recipients will be required to provide the relevant data by submitting quarterly performance metrics through BJA's online Performance Measurement Tool (PMT) located at [bjapmt.ojp.gov](http://bjapmt.ojp.gov). Applicants should review the complete list of SCF performance measures at: [https://bjapmt.ojp.gov/help/SCF\\_PerformanceMeasures.pdf](https://bjapmt.ojp.gov/help/SCF_PerformanceMeasures.pdf).

#### **Note on Project Evaluations**

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

**Please see the [OJP Grant Application Resource Guide](#) for information on the following:**

4. [Budget Information and Associated Documentation](#) in the "Budget Preparation and Submission Information" section
5. [Indirect Cost Rate Agreement](#)
6. [Tribal Authorizing Resolution](#) (if applicable)
7. [Financial Management and System of Internal Controls Questionnaire \(including applicant disclosure of high-risk status\)](#)
8. [Disclosure of Lobbying Activities](#)
9. [Applicant Disclosure of Pending Applications](#)
10. [Applicant Disclosure and Justification – DOJ High Risk Grantees](#)<sup>6</sup> (if applicable)
11. [Research and Evaluation Independence and Integrity](#)

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<sup>6</sup> 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.

## 12. Additional Attachments

### a. 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 should 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.

### b. 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 should 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.

### c. Documentation of Enhanced Public Safety in 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 under the Qualified Opportunity Zones priority should 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).

### d. 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 #A. Each such applicant proposing to receive priority consideration for such cooperation with federal law enforcement must sign and submit the certification provided in Appendix #A.

### e. Project Timeline outlining key tasks, benchmarks, and persons or entities responsible.

The timeline should reflect a 6-month planning period, 30-month implementation period, and a 12-month evaluation period (see page 8). Award recipients will be expected to have staffing and other needed supports in place by the end of the planning period to

begin addressing the primary project objectives and activities for the implementation period.

- f. **Letter From Research Partner (if applicable)** demonstrating commitment to the project.
- g. **Letters of Support From All Other Key Partners** on official letterhead that demonstrate the partners' commitment to the proposed initiative if they are members of the applicant's SCF team, to include the following:
  - a. Chief judge
  - b. Parole and/or probation office
  - c. Court administrator
  - d. Prosecutor's office
  - e. Public defender's office
  - f. Law enforcement agency
  - g. Jail administrator
  - h. Other essential partners, consistent with the proposed application and circumstances of the applicant's jurisdiction
- h. **Position Descriptions for the key roles and résumés** for personnel in those roles. Position descriptions should relate to the role on the proposed project, not the person's role within the applicant organization, and describe their critical competencies and expectations regarding project responsibilities.

### **How To Apply (Grants.gov)**

Applicants must register in and submit applications through [Grants.gov](https://www.grants.gov), a primary source to find federal funding opportunities and apply for funding. Find information on how to apply in response to this solicitation in the [OJP Grant Application Resource Guide](#).

### **Registration and Submission Steps**

Applicants will need the following identifying information when searching for the funding opportunity on Grants.gov.

1. **CFDA #16.828**, Innovative Responses to Behavior in the Community: Swift, Certain, and Fair Supervision Program
2. **Funding Opportunity #: BJA-2020-17096**

For information on each registration and submission step, see the [OJP Grant Application Resource Guide](#).

## **E. Application Review Information**

### **Review Criteria**

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

1. **Description of the Issue (30 percent)**
  - Describe and demonstrate understanding of the nature and scope of the problem to be addressed, using data and research as support.

- Describe successful efforts to date to address the identified needs.
- Describe the need for assistance and resources to address the problem.
- Briefly introduce how the applicant proposes to address the problem.

## **2. Project Design and Implementation (30 percent)**

- Address in detail how the applicant proposes to undertake and accomplish each of the objectives and deliverables (see pages 4–6). Applicants may propose other activities or deliverables in addition to the ones listed in this grant announcement, and should provide detailed information about them.
- Demonstrate an understanding of the SCF principles.
- Demonstrate an agency-wide commitment to align policies and practices with recidivism reduction, public safety goals, and continuous quality improvement through the use of data and collaborative problem solving.

## **3. Capabilities and Competencies (25 percent)**

- Provide a detailed description of the capacity of the organization and key personnel to deliver the required services and complete the key objectives described on pages 4–6.
- Describe how the proposed management structure and staffing of the project will facilitate the delivery of the required services. The management and organizational structure described should match the staffing needs necessary to accomplish the tasks outlined in the project timeline.

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

- 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.

## **5. Budget (10 percent)**

- Submit a budget that is complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).
- Budget narratives should demonstrate generally 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 project.<sup>7</sup>
- The budget must reflect the requirements detailed on page 8.

### **Review Process**

BJA reviews an application to make sure that the information presented is reasonable, understandable, measurable, achievable, and consistent with the solicitation requirements.

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<sup>7</sup> Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.

The following five paragraphs in this solicitation expressly modify the “Application Review Information” provisions in the OJP Grant Application Resource Guide. An applicant is to follow the guidance in these five paragraphs instead of the guidance stated under the “Application Review Information” heading in the Guide.

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 necessary to meet the basic minimum requirements.

For a list of the application elements that **MUST** be included in the application submission in order for an application to meet the basic minimum requirements, 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 of this solicitation. Peer reviewers' ratings and any resulting recommendations are advisory only, although reviewer views are considered carefully.

Other important considerations for BJA include geographic diversity, strategic (programmatic and policy) priorities (specifically including, but not limited to, those mentioned above relating to addressing specific challenges that rural communities face, addressing specific challenges presented by poverty, demonstrable potential enhancement to public safety in one or more federally designated Qualified Opportunity Zones, and enhancing criminal justice and public safety through award conditions regarding cooperation with federal law enforcement), available funding, and the extent to which the Budget Detail Worksheet and Budget Narrative accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

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.

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 nonpublic segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

**Important note on FAPIIS:** An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding

agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by 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.

## **F. Federal Award Administration Information**

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

### **Federal Award Notices**

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

OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

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**

#### **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 certain reports and data.

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

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

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

For contacts, see page 2.

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



## H. Other Information

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

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

[Provide Feedback to OJP](#)

## Appendix A

### 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 (in whole or in part) by this award, 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. Noninterference with statutory law enforcement access to correctional facilities

Consonant with federal law enforcement statutes and regulations -- including 8 U.S.C. 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 C.F.R. 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) (see 8 U.S.C. 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 C.F.R. 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 section 237(a)(2) of the INA (see 8 U.S.C. 1227(a)(2)), or

(b) conduct described in section 237(a)(4) of the INA (see 8 U.S.C. 1227(a)(4)).

(4) The term "conviction" means what it means under section 101 of the INA (see 8 U.S.C. 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 (see 34 U.S.C. 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 title VI of the Civil Rights Act of 1964 (see 42 U.S.C. 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 U.S.C. 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 C.F.R. 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) (see 8 U.S.C. 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 C.F.R. 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 section 237(a)(2) of the INA (see 8 U.S.C. 1227(a)(2)), or

(b) conduct described in section 237(a)(4) of the INA (see 8 U.S.C. 1227(a)(4)).

(4) The term "conviction" means what it means under section 101 of the INA (see 8 U.S.C. 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 (see 34 U.S.C. 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 title VI of the Civil Rights Act of 1964 (see 42 U.S.C. 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

## **Appendix B: Application Checklist**

### **Improving Community Supervision Outcomes Through Swift, Certain, and Fair Responses**

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

#### **What an Applicant Should 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 (see [OJP Grant Application Resource Guide](#))
- 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, and reporting available at [ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](#) (see [OJP Grant Application Resource Guide](#))

##### *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 [OJP Grant Application Resource Guide](#))

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

- Contact BJA regarding technical difficulties (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 2020 Awards](#)" in the [OJP Funding Resource Center](#).

#### **Scope Requirement:**

- The federal amount requested is within the allowable limit of \$750,000.

## Eligibility Requirement:

See title page.

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.

- Program Narrative (see page 9)
- Budget Detail Worksheet and Budget Narrative (see [OJP Grant Application Resource Guide](#))
- Letters of Support from members of the applicant's SCF team (see page 12)

## What an Application Should Include:

- Application for Federal Assistance (SF-424) (see [OJP Grant Application Resource Guide](#))
- Project Abstract (see page 9)
- Indirect Cost Rate Agreement (if applicable) (see [OJP Grant Application Resource Guide](#))
- Tribal Authorizing Resolution (if applicable) (see [OJP Grant Application Resource Guide](#))
- Financial Management and System of Internal Controls Questionnaire (see [OJP Grant Application Resource Guide](#))
- Disclosure of Lobbying Activities (SF-LLL) (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure of Pending Applications (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable) (see [OJP Grant Application Resource Guide](#))
- Research and Evaluation Independence and Integrity (see [OJP Grant Application Resource Guide](#))

## Additional Attachments:

- Documentation of rural challenges (if applicable)
- Documentation of high-poverty areas or persistent poverty counties (if applicable)
- Documentation of enhanced public safety in federally designated Qualified Opportunity Zones (if applicable) (see page 11)

- Certifications regarding enhancing criminal justice and public safety through award conditions on cooperation with federal law enforcement (if applicable) (see page 11)
- Project Timeline (see page 11)
- Letter From Research Partner (if applicable) (see page 12)
- Letters of Support From All Other Key Partners (see page 12)
- Position Descriptions for key roles and résumés for personnel in those roles (see page 12)
- Request and Justification for Employee Compensation; Waiver (if applicable) (see page 8)