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



# Paul Coverdell Forensic Science Improvement Grants Program – Competitive

FY 2020 Competitive Grant Solicitation

CFDA # 16.742

Grants.gov Solicitation Number: BJA-2020-18433

Solicitation Release Date: April 20, 2020

Application Deadline: 11:59 p.m. eastern time on June 19, 2020

The <u>U.S. Department of Justice</u> (DOJ), <u>Office of Justice Programs</u> (OJP), <u>Bureau of Justice</u> <u>Assistance (BJA)</u> is seeking applications for competitive funding under the FY 2020 Paul Coverdell Forensic Science Improvement Grants Program. This program furthers the Department's mission by providing states and units of local government with tools needed to meet the challenges of crime and justice. Specifically, this program seeks to improve forensic science and medical examiner/coroner services, including services provided by laboratories operated by States and units of local government.

This solicitation incorporates the <u>OJP Grant Application Resource Guide</u> 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.

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the "Limitation on Use of Award Funds for Employee Compensation; Waiver" provisions in the "Financial Information" section of the OJP Grant Application Resource Guide.

## Eligibility (Who may apply):

The following entities are eligible to apply:

• States (including territories) and units of local government

State Administering Agencies (SAAs) apply on behalf of states, including any state government entity. For information on eligibility, see <u>Section C. Eligibility Information</u>.

For purposes of this solicitation—

- A state/local government entity performing forensic science services is considered a "forensic science laboratory" if it employs one or more full-time scientists:
  - With a minimum of a bachelor's degree in a natural or formal science (e.g., chemistry, physics, biology, computer science, or a closely related field) and
  - Whose principal function is to examine, analyze, and interpret physical and/or digital evidence in criminal matters and provide reports and testimony to courts of law regarding such evidence.
- Law enforcement units operating outside of the crime laboratory function, such as crime scene units and other entities that engage exclusively in evidence collection and documentation, are not forensic science laboratories for these purposes.

Medical examiner and coroner offices are treated as forensic science laboratories.

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

BJA will consider applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (subgrantees). The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding and managing the entire project. For additional information on subawards, see the <u>OJP Grant Application</u> <u>Resource Guide</u>.

#### **Contact information**

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800–518–4726, 606–545–5035, at <u>https://www.grants.gov/web/grants/support.html</u>, or at <u>support@grants.gov</u>. 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 BJA 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 other requirements of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 1-800-851-3420; via TTY at 301-240-6310 (hearing impaired only); email <u>grants@ncjrs.gov</u>; fax to 301-240-5830; or web chat at <u>https://webcontact.ncjrs.gov/ncjchat/chat.jsp</u>. The NCJRS Response Center operates from 10:00 a.m. until 6:00 p.m. eastern time, Monday through Friday, and from 10:00 a.m. until 8:00 p.m. eastern time on the solicitation close date.

## **Deadline Details**

Applicants must register with Grants.gov at <u>https://www.grants.gov/web/grants/register.html</u> prior to submitting an application. All applications are due by 11:59 p.m. eastern time on June 19, 2020.

To be considered timely, an application must be submitted by the application deadline using Grants.gov, and the applicant must have received a validation message from Grants.gov that indicates successful and timely submission. OJP urges applicants to submit applications at least 72 hours prior to the application due date, 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 <u>Important Notice: Applying for Grants in Grants.gov</u>.

For additional information, see the "How to Apply (Grants.gov)" section in the <u>OJP Grant</u> <u>Application Resource Guide</u>.

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# Paul Coverdell Forensic Science Improvement Grants Program – Competitive CFDA # 16.742

# A. Program Description

#### Overview

With this solicitation, BJA seeks proposals for competitive funding under the Paul Coverdell Forensic Science Improvement Grants Program (the Coverdell program), which awards grants to states and units of local government to help improve forensic science and medical examiner/ coroner services. Under the Coverdell program, State Administering Agencies (SAAs) may apply for both formula and competitive funds. Units of local government may apply for competitive funds. This solicitation is **ONLY** for the competitive funds.<sup>1</sup>

**Statutory Authority:** The Coverdell program is authorized by Title I of the Omnibus Crime Control and Safe Streets Act of 1968, Part BB, codified at 34 U.S.C. §§ 10561-10566 (the Coverdell law).

#### **Program-specific Information**

The Coverdell program may not be used for research; however, applicants may address emerging forensic science issues and technology through implementation of new technologies and processes into public laboratories.

#### Goals, Objectives, and Deliverables

The goal of this program is to improve forensic science and medical examiner/coroner services, including services provided by laboratories operated by states and units of local government.

#### **Grant Purposes**

A state or unit of local government that receives a Coverdell grant must use the grant for one or more of the following six purposes:

- 1. To carry out all or a substantial part of a program intended to improve the quality and timeliness of forensic science or medical examiner/coroner services in the state, including those services provided by laboratories operated by the state and those operated by units of local government within the state.
- 2. To eliminate a backlog in the analysis of forensic science evidence,<sup>2</sup> including, among other things, a backlog with respect to firearms examination, latent prints, impression evidence, toxicology, digital evidence, fire evidence, controlled substances, forensic pathology, questioned documents, and trace evidence.

<sup>&</sup>lt;sup>1</sup> An applicant that seeks to apply for Coverdell formula funds (consistent with 34 U.S.C. § 10563(a)(1)) available for grants to eligible states would need to apply under BJA's FY 2020 Paul Coverdell Forensic Science Improvement Grants Program (Formula) solicitation.

<sup>&</sup>lt;sup>2</sup> A backlog in the analysis of forensic science evidence exists if forensic evidence has been stored in a laboratory, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility; and has not been subjected to all appropriate forensic testing because of lack of resources or personnel.

- 3. To train, assist, and employ forensic laboratory personnel and medicolegal death investigators, as needed, to eliminate such a backlog.
- 4. To address emerging forensic science issues (such as statistics, contextual bias, and uncertainty of measurement) and emerging forensic science technology (such as high throughput automation, statistical software, and new types of instrumentation).
- 5. To educate and train forensic pathologists.
- 6. To fund medicolegal death investigation systems to facilitate accreditation of medical examiner and coroner offices and certification of medicolegal death investigators.

#### Expected Results and Outcomes

The result of Coverdell grants to applicant states should be a demonstrated improvement over current operations in forensic science or medical examiner/coroner services provided in the state, including services provided by laboratories operated by the state and services provided by laboratories operated by units of local government within the state. Reduction of forensic analysis backlogs is considered an improvement in timeliness of services. The result of Coverdell grants directly to units of local government should be a demonstrated improvement over current operations in forensic science or medical examiner/coroner services provided by the local jurisdiction.

All Coverdell grantees are required to report specific programmatic metrics (see "<u>Performance Measures</u>"). In addition, the applicant is asked to consider what other metrics may be of use in demonstrating the successful outcome of the program/project.

The Goals, Objectives, and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed under <u>What an Application Should</u> <u>Include</u>.

#### Information Regarding Potential Evaluation of Programs and Activities

Applicants should note OJP may conduct or support an evaluation of the programs and activities funded under this solicitation. For additional information, see the <u>OJP Grant</u> <u>Application Resource Guide</u> section, entitled, "Information Regarding Potential Evaluation of Programs and Activities."

# **B. Federal Award Information**

Maximum number of awards BJA expects to make	up to 30 awards
Estimated maximum dollar amount for each award	\$250,000
Total amount anticipated to be awarded under this solicitation	\$3,970,464
Period of performance start date	October 1, 2020
Period of performance	24 months

Applicants should be aware that the total period of an award, including one that receives a project period extension, ordinarily will not exceed 3 years.

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

### Available Funding

The figures and calculations reflected in this solicitation are based on an estimated total amount available of \$3,970,464, although the amount ultimately made available could be higher or lower. Applicants are strongly advised to check for updates to the solicitation prior to submitting applications.

### 1. Competitive Funds for States and Units of Local Government

Fifteen (15) percent of the available funds will be allocated among states and units of local government through a competitive process. The average annual number of Part 1 violent crimes reported by each state to the Federal Bureau of Investigation for calendar years 2016, 2017, and 2018; existing resources; and current needs of the potential grant recipient will be considerations in award decisions. For FY 2020, the maximum amount a state or unit of local government may receive in competitive funds is **\$250,000**.

Units of local government that provide forensic science or medical examiner/coroner services (whether through a forensic science laboratory, medical examiner office, or coroner's office) may apply directly to BJA for competitive funds. A state may apply through its SAA for competitive funds for forensic sciences improvements **above and beyond** those it can accomplish with its estimated amount of formula funds.

### 2. Minimum Awards to States

The Coverdell law sets a floor for the total amount an eligible applicant state will receive as its Coverdell grant. If \$3,970,464 were to become available for FY 2020, the minimum Coverdell grant to an eligible state would be not less than \$264,698<sup>3</sup> In that case, if the amount a state would otherwise receive as its total Coverdell funding (including both formula funds and any competitive funds) is less than \$264,698, BJA will increase that State's total funding to \$264,698.

#### Type of Award

BJA expects to awards under this solicitation as grants. See the "Administrative, National Policy, and Other Legal Requirements" section of the <u>OJP Grant Application Resource Guide</u> 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. 200.303, comply with standards for financial and program management. See <u>OJP Grant</u> <u>Application Resource Guide</u> for additional information.

#### **Budget Information**

#### Permissible Expenses

The types of expenses listed below generally may be paid with Coverdell funds. Federal funds must be used to supplement existing state and local funds for program activities and must not supplant those funds that have been appropriated for the same purpose. Please refer to the

<sup>&</sup>lt;sup>3</sup> Minimum awards for America Samoa and the Commonwealth of the Northern Mariana Islands would be lower.

<sup>&</sup>lt;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.

DOJ Grants Financial Guide, section 2.3 "Standards for Financial Management Systems," for more information on supplanting.

**Note:** The following list details the types of expenses allowed under the Coverdell program. These expenses should **NOT** be used as budget categories—instead they are to be incorporated into the appropriate standard OJP budget categories. For more information on OJP's standard budget format, see the section titled <u>What an Application Should Include</u>.

- 1. Salary and benefits of laboratory employees. Funds may be used for forensic science or medical examiner/coroner office personnel, fellowships, visiting scientists, interns, consultants, or temporary staff.
- 2. Overtime for laboratory staff. Funds may be used to pay overtime for laboratory scientists (excluding executive personnel) to directly examine, analyze, and interpret physical and/or digital evidence in criminal matters. Any payments for overtime must be in accordance with the applicable provisions of the DOJ Financial Guide.
- **3. Computerization.** Funds may be used to upgrade, replace, lease, or purchase computer hardware and software for forensic analyses and data management.
- **4. Laboratory equipment.** Funds may be used to upgrade, lease, or purchase forensic laboratory or medical examiner/coroner office equipment and instrumentation.
- **5. Supplies.** Funds may be used to acquire forensic laboratory or medical examiner/coroner office supplies.
- 6. Accreditation. Funds may be used to prepare for laboratory accreditation by the ANSI-ASQ National Accreditation Board (ANAB), National Association of Medical Examiners (NAME), the American Association for Laboratory Accreditation (A2LA), International Association of Coroners & Medical Examiners (IAC&ME) or other, appropriate, accrediting bodies. Funds also may be used for application and maintenance fees charged by appropriate accrediting bodies.<sup>5</sup> An applicant that proposes to use any portion of the grant amount to fund a forensic science laboratory system, including any laboratory operated by a unit of local government within the state, that is not accredited (as set out in the Coverdell law) will be required to use (or, as applicable, must require any unaccredited subrecipient forensic science laboratory system to use) a portion of the grant amount for accreditation purposes. Coverdell awardees must use grant funds to prepare and apply for accreditation of any FY 2020 Coverdell grant-funded unaccredited forensic laboratory system, including any laboratory operated by a unit of local government within the state, not more than 2 years after the FY 2020 Coverdell award date.
- 7. Education, training, and certification. Funds may be used for appropriate internal and external training of staff that are involved directly and substantially in providing forensic science or medical examiner/coroner services. In appropriate cases, funds also may be used for fees charged by appropriate certifying bodies for certification of staff in specific

<sup>&</sup>lt;sup>5</sup> Per 34 U.S.C. § 10562(2), such an accrediting body would be "an accrediting body that is a signatory to an internationally recognized arrangement and that offers accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement[.]"

forensic discipline areas. All education, training, and certification activities must be designed to improve forensic science or medical examiner/coroner services. The grant application should demonstrate that the proposed training or certification is directly related to the job position and duties of the individual(s) receiving the training or seeking certification.

OJP recognizes the benefit of attending discipline-related conferences to receive training and/or education; however, it is recommended that the applicant consider the cost-effectiveness of this option compared to other viable modes of training. For example, hosting on-site training or attending a local program may be more suitable for the applicant's personnel and organization.

8. Facilities. Funds may be used for program expenses relating to facilities, provided the expenses are directly attributable to improving forensic science or medical examiner/coroner services. Funds also may be used for renovation and/or construction undertaken as part of the applicant's program to improve forensic science or medical examiner/coroner services.

**Limitations on use of funds for costs of new facility.** The Coverdell law limits the amount of funds that may be used for the costs of a new facility or facilities (34 U.S.C. § 10564(c)). Maximum amounts are determined by the total amount of the Coverdell grants received (including both formula and competitive funds) and the total amount of funds available for Coverdell grants nationwide. The maximum amounts that may be used for costs of new facilities are as follows. (Estimates and calculations are based on the assumption that the total available funds for Coverdell awards in FY 2020 will be \$3,970,464. Please refer to the discussion under "Available Funding.")

<u>Grants that exceed 0.6 percent of the total available funds</u>. If an applicant state receives total grants that exceed 0.6 percent of the total available funds (estimated here at \$160,500), the amount of the grant that can be used for the costs of any new facility cannot exceed the sum of 80 percent of 0.6 percent of the total available funds (such 80 percent estimated here at \$128,400) plus 40 percent of the amount of the grant in excess of 0.6 percent of the total available funds.

For example, if \$26,750,000 were to become available for Coverdell awards in FY 2020 and a state were to receive a total Coverdell grant of \$267,500, no more than \$171,200 may be used for the costs of any new facility.

A sample calculation for a \$267,500 grant would be as follows:

Eighty percent of 0.6 percent of the total available funds:  $160,500 \times .80 = 128,400$ . Amount in excess of 160,500: 267,500 - 160,500 = 107,000Forty percent of amount in excess of 160,500:  $107,000 \times .40 = 42,800$ . Sum of 128,400 + 42,800 = 171,200.

**8.** Administrative expenses. Not more than 10 percent of the total amount of a Coverdell grant may be used for a recipient's administrative expenses.

The application should demonstrate, wherever applicable, how any proposed use of funds would address challenges the opioid abuse crisis has brought to the forensic science community, as described in the "Important Note" under "Grant Purposes" in Section A. Program

Description. To facilitate this, an applicant should annotate each line item in the budget as "opioid-related" (addressing the opioid abuse crisis) or "non-opioid related." Coverdell funds are available for permissible uses that would not address the opioid abuse crisis; however, applications requesting Coverdell funds for projects that address specified opioid-abuse-crisis-related challenges to the forensic science community will be given priority consideration in award decisions over applications not requesting funds for such projects.

### Expenses That Are Not Permitted

- 1. **Funds to conduct research.** Applicants may address emerging forensic science issues and technology through implementation of new technologies and processes into public laboratories.
- 2. **Expenses other than those listed above** (including expenses for general law enforcement functions or non-forensic investigatory functions).
- 3. Costs for any new facility that exceed the limits described above.
- 4. **Recipient administrative expenses** (direct or indirect) that exceed 10 percent of the total grant amount.
- 5. The use of funds for the purchase and/or lease of vehicles, such as crime scene vans.

### **Cost Sharing or Matching Requirement**

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

Voluntary committed cost sharing (defined at 2 C.F.R. 200.99) – or, voluntary match – must be cash-only under this program and, if that cash match is properly documented in the application, that additional cash contribution to the project will be considered in award decisions as described under <u>Section E. Application Review Information</u>, below.

#### Please see the OJP Grant Application Resource Guide for information on the following: Pre-agreement Costs (also known as Pre-award Costs)

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

Costs Associated with Language Assistance (if applicable)

# C. Eligibility Information

States<sup>6</sup> and units of local government may apply for FY 2020 competitive Coverdell funds. States may be eligible for both formula and competitive funds. Units of local government within states may be eligible for competitive funds and may apply directly to BJA. This solicitation is ONLY for the competitive funds. Any state application for funding **MUST** be submitted by the

<sup>&</sup>lt;sup>6</sup> For purposes of the Coverdell program, the term "state" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands. For certain purposes, American Samoa and the Northern Mariana Islands are treated as one state.

Coverdell SAA (see a list of SAAs on the OJP website at <u>www.ojp.usdoj.gov/saa/index.htm</u>). (Other interested state agencies or departments must coordinate with their respective SAAs.)

**Note:** A prospective recipient of grant funds that is found to have an "unresolved audit finding" from a DOJ Office of the Inspector General audit, as described at 34 U.S.C. § 10263, will be ineligible to receive grant funds during the period specified in that statute. See 34 U.S.C. § 10263(2).

See <u>Section A. Program Description</u> for details on what BJA considers a "forensic science laboratory," for purposes of this solicitation.

The Coverdell law (at 34 U.S.C. § 10562) requires that, to request a grant, an applicant for Coverdell funds **must submit**:

- 1. A certification and description regarding a plan for forensic science laboratories. Each applicant must submit a certification that the state or unit of local government has developed a plan for forensic science laboratories under a program intended to improve the quality and timeliness of forensic science or medical examiner services in the state, including such services provided by the laboratories operated by the state and those operated by units of local government within the state. Applicants must also specifically describe the manner in which the grant will be used to carry out that plan.
- 2. A certification regarding use of generally accepted laboratory practices. Each applicant must submit a certification that any forensic laboratory system, medical examiner's office, or coroner's office in the state, including any laboratory operated by a unit of local government within the state, that will receive any portion of the grant amount (whether directly or through a subgrant) uses generally accepted laboratory practices and procedures established by accrediting organizations or appropriate certifying bodies.
- 3. A certification regarding forensic science laboratory accreditation. Each applicant must submit a certification that any forensic science laboratory system in the state, including any laboratory operated by a unit of local government within the state, that will receive any portion of the grant amount (whether directly or through a subgrant) either is accredited, <u>or</u>, is not so accredited, but will (or will be required in a legally binding and enforceable writing to) use a portion of the grant amount to prepare and apply for such accreditation not more than 2 years after the date on which a grant is awarded under the FY 2020 Paul Coverdell Forensic Science Improvement Grants Program.

Applicants requesting funds for only medical examiner's or coroner's offices are not required to submit this certification. See 34 U.S.C. § 10562(2).

4. A certification and description regarding costs of new facilities. Each applicant must submit a certification that the amount of the grant used for the costs of any new facility constructed as part of a program to improve the quality and timeliness of forensic science or medical examiner services will not exceed certain limitations set forth in the Coverdell law at 34 U.S.C. § 10564(c). (See information on "permissible expenses" in section 'B. Federal Award Information of this solicitation.) Applicants must also specifically describe any new facility to be constructed as well as the estimated costs of the facility.

5. A certification regarding external investigations into allegations of serious negligence or misconduct. Each applicant must submit a certification that "a government entity exists and an appropriate process is in place to conduct independent external investigations into allegations of serious negligence or misconduct substantially affecting the integrity of the forensic results committed by employees or contractors of any forensic laboratory system, medical examiner office, coroner's office, law enforcement storage facility, or medical facility in the state that will receive a portion of the grant amount."

Applicants are expected to carefully review the requirements of each certification before determining whether the certification properly may be made. Any certification that is submitted must be executed by an official who is both familiar with the requirements of the certification, and authorized to make the certification on behalf of the applicant agency (that is, the agency applying directly to BJA). **Certifications must be submitted using the templates that appear in** <u>Appendix 1</u>.

Certifications made on behalf of subrecipients of award funds—rather than certifications made on behalf of the agency applying directly to BJA—are <u>not</u> acceptable to satisfy the certification requirements and should not be submitted.

In connection with the certification regarding external investigations (described above), applicants **must** provide, prior to receiving award funds, the name(s) of the existing "government entity" (or government entities). This information is to be provided as an attachment to the program narrative section of the application. See "<u>What an Application Should</u> <u>Include</u>" and <u>Appendix 2</u>, which includes a template for the attachment.

In connection with the certification regarding forensic science laboratory accreditation (described above), applicants **must** demonstrate, prior to receiving award funds, that any forensic science laboratory system, including any laboratory operated by a unit of local government within the state, that will receive any portion of the grant amount either is accredited or will (or will be required to) prepare and apply for accreditation consistent with the Coverdell law. See "<u>What an Application Should Include</u>," which describes the documentation and information an applicant is to provide regarding its accreditation or its plans to prepare and apply for accreditation.

The accrediting body must be a signatory to an internationally recognized arrangement and must offer accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement. The scope of the accreditation must include all discipline(s) for which funds are requested. If the current scope of accreditation does not include the discipline(s) for which funds are requested, the applicant must include funds in its budget and plans in its program narrative to prepare and apply for accreditation in those disciplines.

Please note that funds will not be made available to applicant agencies that fail to provide the necessary information.

# Important Note on Referrals in Connection With Allegations of Serious Negligence or Serious Misconduct

The highest standards of integrity in the practice of forensic science are critical to the enhancement of the administration of justice. BJA assumes that recipients (and subrecipients) of Coverdell funds will make use of the process referenced in their certification as to external

investigations and will refer allegations of serious negligence or misconduct substantially affecting the integrity of forensic results to government entities with an appropriate process in place to conduct independent external investigations, such as the government entities identified in the grant application.

For each fiscal year of an award made under this solicitation, recipients will be required to report to BJA on an annual basis—

- 1. The number and nature of any such allegations
- 2. Information on the referrals of such allegations (e.g., the government entity or entities to which referred, the date of referral)
- 3. The outcome of such referrals (if known as of the date of the report)
- 4. If any such allegations were not referred, the reason(s) for the non-referral

Payments to recipients (including payments under future awards) may be withheld if the required information is not submitted on a timely basis.

# Special Guidance on Certification Regarding External Investigations Into Allegations of Serious Negligence or Misconduct

The certification regarding external investigations has a number of requirements, each of which must be satisfied before the certification may be made. The official authorized to make the certification on behalf of the applicant agency must carefully review each of the statutory elements and this guidance before determining whether a certification properly may be made. After reviewing the information and guidance provided here, the official, on behalf of the applicant agency, must determine whether:

- A government entity exists
- With an appropriate process in place
- To conduct independent, external investigations
- Into allegations of serious negligence or misconduct
- Substantially affecting the integrity of the forensic results
- Committed by <u>employees</u> or <u>contractors</u>
- Of <u>any</u> forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility in the state <u>that will receive a portion</u> of the grant amount.

**Note:** In making this certification, the certifying official is certifying that these requirements are satisfied not only with respect to the applicant itself, but also with respect to each entity that will receive a portion of the grant amount. Certifying officials are advised that:

- (1) A false statement in the certification or in the grant application that it supports may be the subject of criminal prosecution, including under 18 U.S.C. § 1001 and/or 1621 and 34 U.S.C. §§ 10271-10273.
- (2) Office of Justice Programs grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

The following guidance, provided by way of examples for applicants' review, is designed to illustrate elements of the external investigation certification that the official authorized to make the certification on behalf of the applicant agency must take into account in determining whether the certification properly may be made.

Because it is not possible for BJA to provide examples relating to every type of government entity with an appropriate process in place to conduct independent, external investigations into allegations of serious negligence or misconduct substantially affecting the integrity of the forensic results committed by employees or contractors, this guidance should not be viewed as all inclusive. In addition, this guidance is not intended to constitute legal advice from BJA on the question of whether the required certification properly may be made on behalf of the applicant. Such a determination must be made by an appropriate official based on the statutory requirements of the certification after review of this guidance.

#### Illustrative Examples:

 The only government entity that will receive Coverdell award funds is a forensic laboratory that is a unit of a local law enforcement agency (e.g., a police department). The law enforcement agency has an Internal Affairs Division (IAD) that reports directly to the head of the law enforcement agency (the Police Chief) and the head of the unit of local government (the Mayor/City Commissioner). The IAD has the authority to conduct investigations into allegations of serious negligence or misconduct by laboratory employees and contractors.

Guidance: Execution of the certification might be appropriate under these facts. Nevertheless, the official authorized to make the certification on behalf of the applicant agency must be satisfied that the IAD at issue has the requisite authority to conduct independent investigations (for example, whether the IAD is completely free from influence or supervision by laboratory management officials) into allegations relating to employees or contractors of the laboratory.

2. A state intends to distribute Coverdell award funds to state and local forensic laboratories and medical examiners/coroners' offices. There is an Office of the Inspector General (OIG) in the state with authority to conduct investigations into allegations of serious negligence or misconduct by employees and contractors of forensic laboratories and medical examiner/coroners' offices, both at the state and local levels.

Guidance: Execution of the certification might be appropriate under these facts. Nevertheless, the certifying official must be satisfied that the state IG's authority in this regard is not circumscribed in such a way that the IG's ability to conduct independent investigations is limited (for example, through a reporting hierarchy that does not provide for the IG to report directly to the chief executive officer or another equally independent state official or office). 3. A city has applied for a Coverdell award and all funds will go to the city's forensic laboratory. There is a process in place whereby the city's District Attorney (DA) may appoint an independent investigator to conduct an investigation into allegations concerning the city's forensic laboratory. If the DA appoints an independent investigator, the investigator will have authority to investigate allegations of serious negligence or misconduct by both laboratory employees and contractors.

Guidance: Execution of the certification might be appropriate under these facts. In this regard, however, the certifying official must be satisfied that the process at issue (appointment of an independent investigator by the city DA) includes procedures under which allegations involving the laboratory are submitted to or are made known to the DA, and that the DA's authority and responsibility to appoint an independent investigator to conduct investigations of such allegations is sufficiently delineated in city policies and/or regulations so that the "appropriate process" in place is clearly defined.

4. An applicant agency determines that the forensics laboratory director (or some other individual in the chain of command at the laboratory) has sole responsibility to conduct investigations into allegations of serious negligence or misconduct committed by laboratory employees.

Guidance: Under these circumstances, execution of the certification would not be appropriate because there is no process in place to conduct independent, external investigations into allegations of serious negligence or misconduct committed by laboratory employees and contractors.

5. A state applicant intends to distribute Coverdell award funds to forensic laboratories at both the state and local levels. An independent commission established by the Governor has authority to investigate allegations of serious negligence or misconduct by employees, including employees of units of local government within the state.

Guidance: Under these circumstances, the existence of this commission is not itself a sufficient basis for execution of the certification. In this regard, the commission does not have authority to investigate allegations of serious negligence or misconduct by contractors of state and local government forensic laboratories that receive Coverdell funds. (If, however, some other government entity, distinct from the commission, has a process in place to conduct independent external investigations of allegations of serious negligence or misconduct by such contractors, execution of the certification might be appropriate depending on all the facts.)

6. A local forensic laboratory, which is intended to receive a portion of the funds from a Coverdell award to a state, notifies the state applicant that a quality assurance official is responsible for investigating allegations of serious negligence or misconduct by employees and contractors of the local forensic laboratory. The quality assurance official reports to the director of the forensic laboratory.

Guidance: Under these circumstances, execution of the certification would not be appropriate because the quality assurance official reports to the director of the forensic laboratory; therefore, there is no process in place to conduct independent, external investigations of allegations against the forensics laboratory as required to make the certification. 7. An applicant agency (a forensics laboratory) intends to employ a contractor or a nongovernmental organization to conduct investigations into allegations of serious negligence or misconduct committed by laboratory employees.

Guidance: Under these circumstances, execution of the certification would not be appropriate as there is neither a government entity, nor an appropriate process in place to conduct independent, external investigations of allegations against the laboratory, whether alleged to be committed by laboratory employees and/or contractors, because the contractor or nongovernmental entity is employed by and responsible to the forensics laboratory.

8. An applicant agency is accredited by an independent accrediting or certifying organization such as ANAB, NAME, A2LA, IAC&ME, etc.

Guidance: In this situation, execution of the certification would not be appropriate. The fact of accreditation or certification by an outside entity on its own does not demonstrate that the agency has a process in place to investigate allegations of serious negligence or misconduct committed by employees or contractors. There is insufficient information to properly make the required certification in this situation.

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

# **D.** Application and Submission Information

#### What an Application Should Include

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the "Tribal Authorizing Resolution", "Research and Evaluation Independence and Integrity", and "Disclosure of Process Related to Executive Compensation" provisions in the "Application Attachments" section of the <u>OJP Grant Application Resource Guide</u>.

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 **all five** certifications required by the Coverdell law. Medical examiner and coroner offices are exempt from submitting the certification regarding accreditation.

See the "Application Elements and Formatting Instructions" section of the <u>OJP Grant Application</u> <u>Resource Guide</u> 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.

#### 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 <u>OJP Grant Application Resource</u> <u>Guide</u> for additional information on completing the SF-424.

**Intergovernmental Review:** This solicitation ("funding opportunity") **is** subject to <u>Executive</u> <u>Order 12372</u>. An applicant may find the names and addresses of State Single Points of Contact (SPOCs) at the following website: <u>https://www.whitehouse.gov/wp-</u> <u>content/uploads/2020/01/spoc 1 16 2020.pdf</u>. If the applicant's state appears on the SPOC list, the applicant must contact the State SPOC to find out about, and comply with, the state's process under E.O. 12372. In completing the SF-424, an applicant whose state appears on the SPOC list is to make the appropriate selection in response to question 19, once the applicant has complied with its State E.O. 12372 process. (An applicant whose state does not appear on the SPOC list should answer question 19 by selecting the response that the: "Program is subject to E.O. 12372, but has not been selected by the State for review.").

#### 2. Project Abstract

Include a project abstract that summarizes the proposed project in **250** words or less. Project abstracts should be—

- Written for a general public audience.
- Submitted as a **separate** attachment with "Project Abstract" as part of its file name.
- Single-spaced, using a standard 12-point Times New Roman font with 1-inch margins.
- The project abstract should provide an outline limited to the scope of the FY 2020 Coverdell program.
- Example format:
  - One to two sentences for statement of the problem
  - Three to four sentences outlining how this year's award will be utilized
  - One to two sentences describing the outcome

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

#### 3. Program Narrative

The program narrative must specifically describe the manner in which Coverdell grant funds will be used to carry out the applicant's plan to improve forensic science or medical examiner/coroner services over current operations. (Reduction of forensic analysis backlogs is considered an improvement in timeliness of services.)

If grant funds are requested for costs of a new facility, the program narrative must specifically describe the new facility to be constructed and the estimated costs of that facility.

#### Accreditation

If grant funds are requested for accreditation, the program narrative must describe accreditation activities and plans and, as applicable, the projected schedule for preparation for and application for accreditation. Under the Coverdell program, any forensic science laboratory system, including any laboratory operated by a unit of local government within the state, that is not accredited (as set out in the Coverdell law) and that will receive a portion of the grant amount must use a portion of the grant amount to prepare and apply for accreditation not more than 2 years after the date of the Coverdell grant award. For purposes of this solicitation, see "<u>Overview</u>" for definition of "forensic science laboratory".

State applicants. A state that seeks competitive funds should describe how competitive funds will be used to support improvements in forensic science or medical examiner/ coroner services above and beyond the improvements it will accomplish with its estimated amount of formula funds.<sup>7</sup> States are expected to consider the needs of laboratories operated by units of local government as well as those operated by the State. Existing resources and current needs will be considered in awarding competitive funds and should be addressed in any request for competitive funds. As part of the discussion of existing resources and current needs, applicants should include information in the program narrative that describes any known, specific impact(s) on resources and needs indicated by the applicant state's Part 1 violent crime data.

Any state application for funding MUST be submitted by the Coverdell SAA (see list of SAAs on the OJP website at <u>www.ojp.usdoj.gov/saa/index.htm</u>). When applying for competitive funds, an SAA should consult with all interested state agencies to prepare a request for competitive funds. No more than one request for competitive funds per state (SAA) will be funded. If more than one request for competitive funds is made by the State, each should be submitted as a separate application in Grants.gov.

 <u>Unit of local government applicants</u>. A unit of local government should consult all interested components before preparing an application for competitive funds. No more than one application for competitive funds per unit of local government will be funded. If more than one request for competitive funds is made by the unit of local government, each should be submitted as a separate application in Grants.gov. As part of the discussion of existing resources and current needs, applicants requesting competitive funds should include information in the program narrative that describes any known, specific impact(s) on resources and needs indicated by Part 1 violent crime data (state data and any data reported by the applicant).

The program narrative section for a request for competitive funds should not exceed 20 double-spaced pages in 12-point font with 1-inch margins. Abstract, table of contents, charts, figures, appendices, and government forms do not count toward the 20-page limit for the narrative section. If the program narrative for a request for competitive funds fails to comply with these length-related restrictions, BJA may negatively consider such noncompliance in peer review and in final award decisions.

# The program narrative should be attached as a separate file with an appropriately descriptive file name.

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

<sup>&</sup>lt;sup>7</sup> See Appendix 1 of the <u>Paul Coverdell Forensic Science Improvement Grants Program (Formula) solicitation</u> for the estimated amount of FY 2020 formula funds, by state.

The application should demonstrate the anticipated impact of eligible project activities on improvement of forensic science or medical examiner/coroner services, including as to the quality and/or timeliness of forensic results.

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 "<u>Goals</u>, <u>Objectives</u>, and <u>Deliverables</u>" in <u>Section A. Program Description</u>.

Applicants should visit OJP's performance measurement page at <u>www.ojp.gov/performance</u> for an overview of performance measurement activities at OJP.

Performance measures for this solicitation are listed in <u>Appendix 3: Performance</u> <u>Measures Table.</u>

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 should it receive funding.

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.

e. Part 1 violent crimes data and discussion in program narrative (see page 18).

#### Please see the OJP Grant Application Resource Guide for information on the following:

4. <u>Budget Information and Associated Documentation</u> in the "Budget Preparation and Submission Information" section

#### Accreditation

The Budget Detail Worksheet (which includes a "Narrative" section the applicant is to populate for each budget category) should clearly identify the cost for any proposed accreditation activities, within the appropriate cost category (e.g., personnel, fringe benefits, travel, equipment, supplies, and (procurement) contracts) of the budget documents.

- 5. Indirect Cost Rate Agreement
- 6. <u>Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high risk status)</u>
- 7. Disclosure of Lobbying Activities
- 8. <u>Applicant Disclosure of Pending Applications</u>

### 8. <u>Applicant Disclosure and Justification – DOJ High Risk Grantees<sup>8</sup></u> (if applicable)

## 9. Additional Attachments

#### a. Résumés/curriculum vitae of key personnel

Curriculum vitae or résumés of all laboratory scientists who will be significantly involved in substantive aspects of the proposed project (including, for example, scientists who will be operating proposed new equipment). Such documentation should also confirm the eligibility of the applicant entity by showing at least one such scientist is employed who possesses at least a bachelor's degree in a natural or formal science.

#### b. Position description of at least one scientist

As described above in the <u>Overview</u> section, to be considered a "forensic science laboratory" for the purposes of this solicitation, an entity must employ one or more fulltime scientists, with a minimum of a bachelor's degree in a natural or formal science (e.g., chemistry, physics, biology, computer science, or a closely related field) and whose principal function is to examine, analyze, and interpret physical and/or digital evidence in criminal matters and provide reports and testimony to courts of law regarding such evidence. A position description must be included for at least one such scientist to confirm eligibility of the applicant entity.

#### c. Coverdell Statutory Certifications

As described above in the <u>Eligibility</u> section, the Coverdell law provides that, to request a grant, each applicant <u>must</u> submit <u>five</u> certifications specific to the Coverdell Program. (Applicants requesting funds for only medical examiner's offices or coroner's offices are not required to submit the certification regarding accreditation. See 34 U.S.C. § 10562(2).) A certification may only be completed by an official familiar with its requirements and authorized to certify on behalf of the applicant agency (i.e., the agency applying directly to BJA). Templates for the statutory certifications appear in <u>Appendix 1</u>. <u>All five</u> certifications <u>must</u> be completed using these templates. Certifications made on behalf of the agency applying directly to BJA—are <u>not</u> acceptable to satisfy the certification requirements.

The five required Coverdell statutory certifications are as follows:

- Certification as to Plan for Forensic Science Laboratories—Application from a State or Certification as to Plan for Forensic Science Laboratories—Application from a Unit of Local Government
- 2. Certification as to Generally Accepted Laboratory Practices and Procedures
- 3. Certification as to Forensic Science Laboratory System Accreditation
- 4. Certification as to Use of Funds for New Facilities
- 5. Certification as to External Investigations

<sup>&</sup>lt;sup>8</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.

**Please note:** Specific information and guidance with respect to the "Certification as to External Investigations" are provided above, under "<u>Eligibility</u>." Certifying officials must read and review this information and guidance prior to executing the certification.

#### d. External Investigations Attachment

All applicants are to provide the name(s) of the existing "government entity" (or entities) that is the subject of the certification (see <u>Appendix 1</u>) that—

A government entity exists and an appropriate process is in place to conduct independent external investigations into allegations of serious negligence or misconduct substantially affecting the integrity of the forensic results committed by employees or contractors of any forensic laboratory system, medical examiner office, coroner's office, law enforcement storage facility, or medical facility in the state that will receive a portion of the grant amount.

<u>Appendix 2</u> includes a template for this attachment. Note that funds **will not be made available** to applicant agencies that fail to provide the necessary information.

# The five certifications and the external investigations attachment should be attached as a separate file with an appropriately descriptive file name.

e. Forensic Laboratory Accreditation Documentation (if applicable) Applicants should provide documentation of current accreditation with the application for any accredited laboratory (including a subrecipient laboratory) that is to receive funds under the FY 2020 Coverdell award. Acceptable types of documentation of current accreditation include: an electronic (scanned) copy of the current accreditation certificate(s), a digital photograph of the current accreditation certificate(s), or a letter from the accrediting body that includes the certificate number. Additionally, if a certificate references another document that contains key information on the type or scope of the accreditation, provide a copy of that supplemental documentation. Independent accrediting or certifying organizations may include ANAB, NAME, A2LA, AC&ME, or other appropriate accrediting bodies.<sup>9</sup>

Accreditation document(s) should be attached as a separate file with an appropriately descriptive file name.

f. Potential Environmental Impact Coversheet and Checklist – National Environmental Policy Act (NEPA)

Each applicant is to submit an BJA Programmatic Coversheet and Checklist with its application to assist BJA in assessing the potential environmental impacts of the activities proposed for funding by the applicant. Specifically, the applicant is expected to:

- Carefully read the Programmatic Environmental Assessment.
- Complete the Cover Sheet and the attached the Programmatic Checklist.
- Attach the completed documents to the grant application.

<sup>&</sup>lt;sup>9</sup> Per 34 U.S.C. § 10562(2), such an accrediting body would be "an accrediting body that is a signatory to an internationally recognized arrangement and that offers accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement[.]"

The applicant should also submit a Cover Sheet and BJA Programmatic Checklist for any organization identified in the Budget Detail Worksheet that will receive grant funds through a subaward or procurement contract to perform any of the following activities: new construction or renovations that change the basic prior use of a facility or significantly change the size; research and/or technology development that could be expected to have an effect on the environment; or implementation of programs involving the use of chemicals. For more information about NEPA and BJA's NEPA Process, please go to <a href="https://bja.ojp.gov/national-environmental-policy-act-nepa-guidance">https://bja.ojp.gov/national-environmental-policy-act-nepa-guidance</a>.

### How To Apply (Grants.gov)

Applicants must register in and submit applications through <u>Grants.gov</u>, 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 <u>OJP Grant Application Resource Guide</u>.

#### **Registration and Submission Steps**

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

- CFDA # 16.742, Paul Coverdell Forensic Sciences Improvement Grant Program
- Funding opportunity number: BJA-2020-18433

For information on each registration and submission step, see the <u>OJP Grant Application</u> <u>Resource Guide</u>.

# **E.** Application Review Information

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the "Application Review Information" section of the OJP Grant Application Resource Guide.

#### **Review Criteria**

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

- 1. Description of the Issue (Understanding of the issue and its importance) 20 percent
- 2. Project Design and Implementation (Quality and technical merit) 25 percent
  - a. Soundness of the approach to improve forensic services
  - b. Feasibility of the proposed project and awareness of pitfalls

#### If applicable:

- c. Soundness of the approach to reduce and/or eliminate a backlog
- d. Soundness of the approach to train and employ forensic personnel and medicolegal death investigators to eliminate a backlog and increase capacity

- e. Innovation and creativity in the approach to reducing and/or eliminating a backlog and increasing capacity
- **3.** Capabilities/Competencies (Capabilities, demonstrated productivity, and experience of the applicant organization and proposed project staff) 10 percent
  - a. Qualifications and experience of proposed project staff (including any and all scientists [and organizations] identified in the application who will be significantly involved in substantive aspects of the proposal)
  - b. Demonstrated ability of the applicant organization to manage the effort
  - c. Relationship between the capabilities/competencies of the proposed project staff (including the applicant organization) and the scope of the proposed project
- 4. Budget 25 percent

**NOTE**: The budget should be 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 goals of the project.<sup>10</sup>

- a. Total cost of the project relative to the perceived benefit
- b. Use of existing resources to conserve costs
- c. Cost-effectiveness of proposed activities applicable to backlog reduction and/or timeliness of forensic science or medical examiner/coroner services
- d. Cost-effectiveness of proposed activities applicable to improvement in forensic science or medical examiner/coroner services
- e. Cost-effectiveness of education and training as related to improvement of forensic science or medical examiner/coroner services
- 5. Impact and Plan for Collecting the Data Required for this Solicitation's **Performance Measures** (Relevance to policy and practice) 15 percent
  - a. Improvement in Quality and Timeliness

As applicable:

- i. Anticipated reduction in backlog
- ii. Anticipated improvement in quality and timeliness of forensic results

<sup>&</sup>lt;sup>10</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.

- iii. Anticipated benefit of education and training to reduce backlog and improve timeliness of results
- iv. Planned steps to achieve accreditation to positively impact quality and/or timeliness of forensic results
- b. Sustainability of Project Activities
  - i. Maintenance and supply costs associated with equipment purchased under this award
  - ii. Grant-funded personnel
  - iii. Sustainability of operations for which grant-funded personnel and/or OT was used (i.e. TAT, backlog reduction, increased capacity)
- c. Demonstrated plan for collection of the performance measure data as described in the solicitation

#### 6. Part I Violent Crimes - 5 percent

- a. The average annual number of Part I violent crimes reported to the Federal Bureau of Investigation for calendar years 2016, 2017, and 2018 by the state (and for applicant units of local government, the local data, if available).
- b. Discussion of the impact on the laboratory's resources and needs based on reported data

#### **Review Process**

BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, achievable, and consistent with the solicitation. See the <u>OJP</u> <u>Grant Application Resource Guide</u> for information on the application review process for this solicitation.

Absent explicit statutory authorization or written delegation of authority to the contrary, the Assistant Attorney General will make all final award decisions and 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

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 <u>OJP Grant Application Resource</u> <u>Guide</u>.

Information Technology (IT) Security Clauses

## General Information about Post-Federal Award Reporting Requirements

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

<u>Required reports</u>. Recipients typically must submit quarterly financial reports, semiannual 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.

In addition, Coverdell grantees are required to submit a final report that must, among other things: (1) include a summary and assessment of the program carried out with FY 2020 grant funds, (2) identify the number and type of cases accepted during the FY 2020 award period by the forensic laboratory or laboratories that received FY 2020 grant funds, (3) cite the specific improvements in forensic science and medical examiner/coroner services (including any reduction in forensic analysis backlog) that occurred as a direct result of the FY 2020 grant award, and (4) detail the progress of any unaccredited forensic science service provider that received FY 2020 grant funds toward obtaining accreditation. Future awards and fund drawdowns may be withheld if reports are delinquent.

Further, as noted earlier under "<u>Eligibility</u>," for each fiscal year of an award, recipients will be required to report to BJA on an annual basis—

- 1) The number and nature of any allegations of serious negligence or misconduct substantially affecting the integrity of forensic results
- 2) Information on the referrals of such allegations (e.g., the government entity or entities to which referred, the date of referral)
- 3) The outcome of such referrals (if known as of the date of the report)
- 4) If any such allegations were not referred, the reason(s) for the non-referral

Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

See the <u>OJP Grant Application Resource Guide</u> for additional information on specific postaward reporting requirements, including performance measures data.

# G. Federal Awarding Agency Contact(s)

For OJP contact(s), 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 1: Templates for Coverdell Statutory Certifications

(Instructions: Scan signed certifications and submit image files electronically.)

### U.S. DEPARTMENT OF JUSTICE

#### OFFICE OF JUSTICE PROGRAMS BUREAU OF JUSTUCE ASSISTANCE

#### FY 2020 Coverdell Forensic Science Improvement Grants Program

Certification as to Plan for Forensic Science Laboratories— Application from a **State** 

On behalf of the applicant agency named below, I certify the following to the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice:

The State has developed a plan for forensic science laboratories under a program intended to improve the quality and timeliness of forensic science or medical examiner services in the State, including such services provided by the laboratories operated by the State and those operated by units of local government within the State.

I acknowledge that a false statement in this certification or in the grant application that it supports may be the subject of criminal prosecution, including under 18 U.S.C. § 1001 and/or 1621 and 34 U.S.C. §§ 10271-10273. I also acknowledge that Office of Justice Programs grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant agency (that is, the agency applying directly to the Bureau of Justice Assistance).

Signature of Certifying Official

Printed Name of Certifying Official

Title of Certifying Official

Name of Applicant Agency (Including Name of State)

### FY 2020 Coverdell Forensic Science Improvement Grants Program

Certification as to Plan for Forensic Science Laboratories— Application from a **Unit of Local Government** 

On behalf of the applicant agency named below, I certify the following to the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice:

This unit of local government has developed a plan for forensic science laboratories under a program intended to improve the quality and timeliness of forensic science or medical examiner services provided by the laboratories operated by the applicant unit of local government and any other governmentoperated laboratories within the State that will receive a portion of the grant amount.

I acknowledge that a false statement in this certification or in the grant application that it supports may be the subject of criminal prosecution, including under 18 U.S.C. § 1001 and/or 1621 and 34 U.S.C. §§ 10271-10273. I also acknowledge that Office of Justice Programs grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant agency (that is, the agency applying directly to the Bureau of Justice Assistance).

Signature of Certifying Official

Printed Name of Certifying Official

Title of Certifying Official

Name of Applicant Agency (Including Name of Unit of Local Government)

### FY 2020 Coverdell Forensic Science Improvement Grants Program

Certification as to Generally Accepted Laboratory Practices and Procedures

On behalf of the applicant agency named below, I certify the following to the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice:

Any forensic science laboratory system, medical examiner's office, or coroner's office in the State, including any laboratory operated by a unit of local government within the State, that will receive any portion of the grant amount uses generally accepted laboratory practices and procedures, established by accrediting organizations or appropriate certifying bodies.

I acknowledge that a false statement in this certification or in the grant application that it supports may be the subject of criminal prosecution, including under 18 U.S.C. § 1001 and/or 1621 and 34 U.S.C. §§ 10271-10273. I also acknowledge that Office of Justice Programs grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant agency (that is, the agency applying directly to the Bureau of Justice Assistance).

Signature of Certifying Official

Printed Name of Certifying Official

Title of Certifying Official

Name of Applicant Agency (Including Name of State)

#### FY 2020 Coverdell Forensic Science Improvement Grants Program

Certification as to Forensic Science Laboratory System Accreditation

On behalf of the applicant agency named below, I certify the following to the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice:

Before receiving any funds under this grant, any forensic science laboratory system in the State, including any laboratory operated by a unit of local government within the State, that will receive any portion of the grant amount (except with regard to any medical examiner's office) either—

a) is accredited by an accrediting body that is a signatory to an internationally recognized arrangement and that offers accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement, **or**,

b) is not so accredited, but will (or will be required in a legally binding and enforceable writing to) use a portion of the grant amount to prepare and apply for such accreditation not more than 2 years after the date on which a grant is awarded under the FY 2020 Paul Coverdell Forensic Science Improvement Grants Program.

I acknowledge that a false statement in this certification or in the grant application that it supports may be the subject of criminal prosecution, including under 18 U.S.C. § 1001 and/or 1621 and 34 U.S.C. §§ 10271-10273. I also acknowledge that Office of Justice Programs grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant agency (that is, the agency applying directly to the Bureau of Justice Assistance).

Signature of Certifying Official

Printed Name of Certifying Official

Title of Certifying Official

Name of Applicant Agency (Including Name of State)

## FY 2020 Coverdell Forensic Science Improvement Grants Program

Certification as to Use of Funds for New Facilities

On behalf of the applicant agency named below, I certify the following to the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice:

The amount of the grant (if any) used for the costs of any new facility or facilities to be constructed as part of a program to improve the quality and timeliness of forensic science and medical examiner services will not exceed the limitations set forth at 34 U.S.C. § 10564(c) and summarized in the FY 2020 Coverdell Forensic Science Improvement Grants Program solicitation.

I acknowledge that a false statement in this certification or in the grant application that it supports may be the subject of criminal prosecution, including under 18 U.S.C. § 1001 and/or 1621 and 34 U.S.C. §§ 10271-10273. I also acknowledge that Office of Justice Programs grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant agency (that is, the agency applying directly to the Bureau of Justice Assistance).

Signature of Certifying Official

Printed Name of Certifying Official

Title of Certifying Official

Name of Applicant Agency (Including Name of State)

#### FY 2020 Coverdell Forensic Science Improvement Grants Program

Certification as to External Investigations

On behalf of the applicant agency named below, I certify the following to the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice:

A government entity exists and an appropriate process is in place to conduct independent external investigations into allegations of serious negligence or misconduct substantially affecting the integrity of the forensic results committed by employees or contractors of any forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility in the State that will receive a portion of the grant amount.

I personally read and reviewed the section entitled "Eligibility" in the Fiscal Year 2020 program solicitation for the Coverdell Forensic Science Improvement Grants Program. I acknowledge that a false statement in this certification or in the grant application that it supports may be the subject of criminal prosecution, including under 18 U.S.C. § 1001 and/or 1621 and 34 U.S.C. §§ 10271-10273. I also acknowledge that Office of Justice Programs grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant agency (that is, the agency applying directly to the Bureau of Justice Assistance).

Signature of Certifying Official

Printed Name of Certifying Official

Title of Certifying Official

Name of Applicant Agency (Including Name of State)

# Appendix 2: Template for "External Investigations" Attachment

(Instructions: Scan the completed document and submit image file electronically.)

#### FY 2020 Coverdell Forensic Science Improvement Grants Program

#### **Attachment: External Investigations**

The "Certification as to External Investigations" that is submitted on behalf of the applicant agency as part of this application certifies that—

A government entity exists and an appropriate process is in place to conduct independent external investigations into allegations of serious negligence or misconduct substantially affecting the integrity of the forensic results committed by employees or contractors of any forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility in the State that will receive a portion of the grant amount.

Prior to receiving funds, the applicant agency (that is, the agency applying directly to the Bureau of Justice Assistance) must provide—for each forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility that will receive a portion of the grant amount—the name of the "government entity" (or entities) that forms the basis for the certification. Please use the template below to provide this information. (Applicants may adapt this template if necessary, but should ensure that the adapted document provides all required information.)

**IMPORTANT NOTE**: If necessary for accuracy, list more than one entity with respect to each intended recipient of a portion of the grant amount. For example, if no single entity has an appropriate process in place with respect to allegations of serious negligence as well as serious misconduct, it will be necessary to list more than one entity. Similarly, if no single entity has an appropriate process in place with respect to allegations concerning contractors as well as employees, it will be necessary to list more than one entity.

Additional guidance regarding the "Certification as to External Investigations" appears in the <u>"Eligibility"</u> section of the program solicitation for the FY 2020 Coverdell program.

Name of Applicant Agency (including Name of State):

Date:

Name of any forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility that will receive a portion of the grant amount

1.\_\_\_\_\_

2.\_\_\_\_\_

Existing government entity (entities) with an appropriate process in place to conduct independent external investigations

# FY 2020 External Investigations Attachment (continued)

Name of Applicant Agency:			
3			
4			
5			
6			
7			

Objective	Performance Measure(s)	Data Recipient Provides
To improve the quality and timeliness of forensic services and to reduce the number of backlogged cases in forensic laboratories.	<ul> <li>Outcome Measure</li> <li>1. Reduction in the average number of days from the submission of a sample to a forensic science laboratory to the delivery of test results to a requesting office or agency.</li> <li>2. Percent reduction in the number of backlogged forensic cases.</li> <li>Output Measure</li> <li>1. The number of appropriate training or educational opportunities provided with FY 2020 Coverdell funds for forensic science or medical examiner/coroner personnel (if applicable to the grant).</li> </ul>	<ol> <li>Average number of days to process a sample at the beginning of the grant period.</li> <li>Average number of days to process a sample at the end of the grant period.</li> <li>Number of backlogged cases at the beginning of the grant period.</li> <li>Number of backlogged cases at the end of the grant period.</li> <li>Number of training opportunities for forensic science personnel.         <ul> <li>Mumber of training opportunities for medical examiner/coroner personnel.</li> </ul> </li> </ol>
To increase the number of agencies/organizations that are accredited with Coverdell funding.	Percent of agencies/organizations that are accredited with FY 2020 Coverdell funding	Number of agencies/organizations receiving funding Number of agencies/organizations currently accredited Number of agencies/organizations seeking initial accreditation with FY 2020 Coverdell funding Number of agencies/organizations obtaining initial accreditation with FY 2020 Coverdell funding

## Appendix 3: Performance Measures Table

Objective	Performance Measure(s)	Data Recipient Provides
		Number of agencies/organizations using FY 2020 Coverdell funding to maintain accreditation
To increase the number of individuals certified with Coverdell funding.	Percent of certified individuals	Number of analysts
		Number of analysts certified
		Number of analysts seeking certification with FY 2020 Coverdell funding

#### **Appendix 4: Frequently Asked Questions**

# Suggested Frequently Asked Questions for the FY 2020 Paul Coverdell Competitive Solicitation

# 1. Q: Is one single applicant permitted to submit multiple applications under the current Coverdell Competitive Program?

A: Yes, however only one award will be made to each applicant under the Coverdell Competitive Program. That means if you submit multiple applications for different projects, you are in effect competing against yourself. (Please note that if an applicant submits multiple versions of the same application, OJP will review only the most recent system-validated version submitted.)

#### 2. Q: If an applicant unit of local government gets a Coverdell Competitive Award,

#### grant?

**A:** No. If an applicant unit of local government is the entity that receives a competitive award that does not impact the maximum amount the state can apply for under this funding opportunity.

# 3. Q: I am a state agency. Do I have to apply through the SAA in order to be considered eligible?

A: Yes, all state agencies must apply through the SAA.

#### 4. Q: Do I have to be accredited in order to apply?

A: Applicants do not have to be currently accredited to apply; however, Coverdell awardees must use grant funds to prepare and apply for accreditation of any FY 2020 Coverdell grant-funded unaccredited forensic laboratory system, including any laboratory operated by a unit of local government within the state, not more than 2 years after the FY 2020 Coverdell award date. Medical examiner's and coroner's offices are exempt from this accreditation requirement. The accrediting body must be "a signatory to an internationally recognized arrangement" and one that "offers accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement[.]"

## Appendix 5: Application Checklist Paul Coverdell Forensic Science Improvement Grants Program – Competitive

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 <u>OJP Grant Application Resource Guide</u>)
- □ Acquire or renew registration with SAM (see <u>OJP Grant Application Resource Guide</u>)

To Register with Grants.gov:

	Acquire AOR and Grants.gov username/password <u>Resource Guide</u> )	(see OJP Grant Application
	Acquire AOR confirmation from the E-Biz POC Resource Guide)	(see OJP Grant Application
	To Find Funding Opportunity: Search for the Funding Opportunity on Grants.gov <u>Resource Guide</u> )	(see OJP Grant Application
_		

- Access Funding Opportunity and Application Package (see <u>OJP Grant Application</u> <u>Resource Guide</u>)
- Sign up for Grants.gov email <u>notifications</u> (optional) (see <u>OJP Grant Application</u> <u>Resource Guide</u>)
- □ Read Important Notice: Applying for Grants in Grants.gov

 Read OJP policy and guidance on conference approval, planning, and reporting available at <u>ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm</u> (see <u>OJP Grant Application Resource Guide</u>)

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 <u>OJP</u> <u>Grant Application Resource Guide</u>)

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

 Contact BJA regarding experiencing technical difficulties (see <u>OJP Grant Application</u> <u>Resource Guide</u>)

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

Review the <u>"Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2020 Awards</u>" in the <u>OJP Funding Resource Center</u>.

## Scope Requirement:

 $\Box$  The federal amount requested is within the allowable limit(s) of \$250,000.

**Eligibility Requirement:** Eligible applicants are limited to states (including territories) and units of local government. State Administering Agencies (SAAs) apply on behalf of states, including any State government entity.

## What an Application Should Include:

_			
	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.		
	Progra	am Narrative	(see page 17)
	<ul> <li>Budget Detail Worksheet &amp; Budget Narrative (see OJP Grant Application Resource Guide)</li> </ul>		
	□ Five c	ertifications required by the Coverdell la	w (see page 20)
	<ul> <li>Certification as to Plan for Forensic Science Laboratories—Application from a State*</li> </ul>		
		<u>OR</u>	
<ul> <li>Certification as to Plan for Forensic Science Laboratories—Application from a Unit of Local Government*</li> </ul>		ience Laboratories—Application	
	<ul> <li>Certification as to Generally Accepted Laboratory Practices and Procedures</li> </ul>		
<ul> <li>Certification as to Forensic Science Laboratory System Accreditation*</li> </ul>		boratory System Accreditation**	
	<ul> <li>Certification as to Use of Funds for New Facilities</li> </ul>		
	<ul> <li>Certification as to External Investigations</li> </ul>		
	*The applicant is to submit only <u>one</u> version of the "Certification as to Plan for Forensic Science Laboratories. DO NOT submit both versions of this certification. Applicant states are to submit the "Application from a State" version only; applicant units of local government are to submit the "Application from a Unit of Local Government" version only.		
	** Applicants requesting funds for only medical examiner's offices or coroner's offices in the state are not required to submit this certification.		
	Application Resource	on for Federal Assistance (SF-424) <u>e Guide</u> )	(see OJP Grant Application
	Intergove	ernmental Review	(see page 16)
	Project A	bstract	(see page 17)
	Indirect C <u>Resource</u>	Cost Rate Agreement (if applicable) <u>e Guide</u> )	(see OJP Grant Application
	Financial	Management and System of Internal Co	ontrols Questionnaire (see OJP Gra

 Financial Management and System of Internal Controls Questionnaire (see <u>OJP Grant</u> <u>Application Resource Guide</u>)

	Disclosure of Lobbying Activities (SF-LLL) Resource Guide)	(see OJP Grant Application	
	Applicant Disclosure of Pending Applications <u>Resource Guide</u> )	(see OJP Grant Application	
	Applicant Disclosure and Justification – DOJ High Risk (see <u>OJP Grant Application Resource Guide</u> )	Grantees (if applicable)	
Additional Attachments:			
	External Investigations Attachment	(see page 21)	
	Forensic Laboratory Accreditation Documentation (if ap	plicable) (see page 21)	
	Potential Environmental Impact Coversheet and Check	list (see page 21)	