



Bureau of Justice Assistance Programmatic Update

NCJA FORUM – SEPTEMBER 2019



Agenda

- Programmatic Monitoring & Trends
- Updates to JAG for 2019
- JAG Performance: Activity Report Findings
- NIBRS
- Death in Custody Reporting



Programmatic Monitoring

- BJA monitors ~10% of our open and active grants (this year: ~437 grants)
- Use the same risk-based process on the “back end” by reviewing the Grant Assessment Tool (GAT) scores and selecting sites to monitor
- Staff members may be on-site or remote (“Enhanced Programmatic Desk Review”)
- BJA will attempt to resolve issues prior to the end of the visit
- State and Territory Monitoring: Policy to facilitate regular, coordinated financial and programmatic in-depth monitoring of funds managed by states and territories every 4 years implemented in FY 19.



Resources - Programmatic Monitoring

- Assigned BJA State Policy Advisor
- DOJ Grants Financial Guide
- Helpdesks: Grant Management System (GMS), Office of the Chief Financial Officer (OCFO), Performance Measurement Tool (PMT).
- OCFO Financial Management Training (in DC or on-line)

Updates to JAG This Year

- ❑ FY 2019 solicitations streamlined
- ❑ Streamlined document and moved static sections to the 2019 [OJP Grant Application Resource Guide](#)
- ❑ Focus on reducing the length of solicitations/application guidance
- ❑ Addresses a variety of policies, statutes, and regulations that apply to many (or in some cases, all) OJP program applicants, or to grants and cooperative agreements awarded in FY 2019



Updates to JAG This Year

- ❑ **Statewide Strategic Plan and Annual Report Requirement:** Required in FY 19. States must submit a comprehensive Statewide Strategic Plan with their application. Additionally, in any year in which the Statewide Strategic Plan is not fully updated, states must also submit a brief “Annual Report” with their application.
- ❑ **Technical Assistance:** States that submit incomplete or minimal Statewide Strategic Plans with their applications will be recommended by BJA for training and technical assistance.
- ❑ **Withholding:** Funds may be withheld until a minimally sufficient strategic plan and/or annual report is submitted.



Updates to JAG This Year

- ❑ **Chief Legal Officer Certifications** – Not required for FY 19 JAG.
- ❑ **CE Certification/Review Narrative** – Addresses statutory JAG requirements and must be reviewed and signed by the Chief Executive (e.g. governor for States, Mayor for cities, Chairman of the Board for Counties). Signature authority cannot be delegated for this certification.
- ❑ **DHS/ICE Certification** – Each applicant must provide responses to three questions outlined in Appendix C of the solicitation. This requirement applies to all subawards, however, they should be collected and maintained by the direct recipient.



Updates to JAG This Year

- Pre-award risk changes:** Pre-award high risk now includes two categories.
- Risk Mitigation Required:** Standard pre-award high risk special conditions added and standard risk mitigation activities included.
- Critical – Risk Mitigation Required:** Category reserved for applicants with extremely high risk information in performance history or audit results. Standard pre-award risk special condition added and custom risk mitigation activities included, such as custom withholding special conditions and additional reporting requirements.



PREA/SORNA timing

- ❑ **PREA:** PREA Governor certifications/assurances for Audit year 3 covering the period of August 20, 2018 – August 19, 2019, will be due to BJA in October 2019. Impacts FY 20 JAG funds. **PREA abeyance option ended in FY 19 and will not be available in FY 20.**
- ❑ **SORNA:** OJP SMART Office made substantial implementation determinations for SORNA in July 2019. Written requests for reallocation including the required detailed plans are due to the SMART Office in November/December of 2019. Impacts FY 20 JAG funds.



JAG Performance: Getting Results to the Grantees

- ❑ Activity Reports outline the funding allocations in total and by program area for FY2012 through FY2017 grantees
- ❑ Additional program data for FY2017 grantees is broken out
- ❑ FY 2016 Report is located at:
https://www.bja.gov/Programs/JAG/JAG-FY2016-Activity-Report_508.pdf
- ❑ FY 2017 in final review; will be posted in the fall.



JAG Activity Report

Top 10 Equipment Purchases*

Rank	Equipment, Supply, and/or Technology (EST) Item	Quantity Purchased	Total Amount of JAG Funds Spent
1	Forensic Lab Equipment	216,537	\$1,165,403
2	Portable Radio Equipment	153,977	\$2,190,883
3	Other Computers (desktop, laptop, server, etc.)	119,001	\$1,871,619
4	Mobile Data Terminal	100,131	\$572,064
5	Duty-Use Ammunition	85,801	\$75,074
6	In-car cameras	71,637	\$925,719
7	Surveillance equipment	61,278	\$1,179,953
8	Less-lethal weapons	44,297	\$1,364,776
9	Speed Detection Equipment	41,057	\$395,886
10	Medical (First-Aid Lots, AEDS)	36,065	\$63,005

*All data is for FY2017 Grantees as of May 2019



NIBRS requirement

- NIBRS compliance has been set for 2021
- DOJ wants to ensure that state & local jurisdictions work towards compliance
- State and local grantees must spend 3% (after VPT) on NIBRS compliance
- States that are already in compliance (per the FBI) can be exempted from this requirement (approx. 7900 locals and 38 States)
- If a State becomes compliant the 3% set aside will be waived
- This requirement will not applied to subawards
- Set-aside now required for U.S. Territories and Tribes

Death in Custody Reporting (DICRA)

- ❑ BJA is scheduled to start collecting DICRA information in FY19; first report due from SAAs in January 2020.
- ❑ Reporting will be done through the PMT
- ❑ DICRA law provides for reporting quarterly by “States”
- ❑ This reporting does NOT take the place of other efforts, such as those by the Bureau of Justice Statistics (BJS) or the FBI Use of Force reporting.
- ❑ Penalty considerations (up to 10%) will be reviewed after data reporting begins



DCRA Data Collection Requirements

- Under the DCRA, DOJ will collect from States *“information regarding the death of any person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, State prison, State-run boot camp prison, boot camp prison that is contracted out by the State, any state or local contract facility, or other local or State correctional facility (including any juvenile facility)”*



DCRA Data Collection Requirements

- ❑ Data collection system is tied to JAG reporting in the Performance Measurement Tool
 - ❑ Those who will be reporting on behalf of the state will have an account in the PMT, which is linked to the state's JAG awards
- ❑ Data reporting will go-live after **January 1, 2020**

JAG				
DICRA Reporting				
Federal Award Number	Award Amount	Reporting Period	Data Entry Status	Report Status
2018-MU-BX-0184 2017-MU-BX-0186	\$8,209,852	October to December 2019	Not Started Begin Reporting Process	
Program Performance Measures Reporting				
Federal Award Number	Award Amount	Reporting Period	Data Entry Status	Report Status
2018-MU-BX-0184 Start Date: Oct 01, 2017 End Date: Sep 30, 2021	\$4,154,107	October to December 2019 REMINDER: Upload this <i>GMS</i> report into GMS by 1/30	Not Started Begin Reporting Process	Not Created Create GMS Report
2017-MU-BX-0186 Start Date: Oct 01, 2016 End Date: Sep 30, 2020	\$4,055,745	October to December 2019 REMINDER: Upload this <i>GMS</i> report into GMS by 1/30	Not Started Begin Reporting Process	Not Created Create GMS Report



DCRA Data Collection Requirements

- Data will be collected on the following:
 - Decedent information—Name, SSN, Gender, Race, Ethnicity, and Birth Year
 - Location—Date of Admission/Arrest, Date of Death, Location Description (e.g., address), Facility Type, and Name of Agency
 - Manner of Death
 - Description of the circumstances leading to the death
- States must establish their own DCRA procedures
 - To include information from all local and state law enforcement and correctional agencies



DCRA Data Collection Requirements

DEATH IN CUSTODY REPORTING ACT

Decedent Information

The Death in Custody Reporting Act of 2013 requires states that receive allocations under specified provisions of the Omnibus Crime Control and Safe Streets Act of 1968 to report certain information regarding the death of any person in law enforcement custody. This may include individuals who are detained, arrested, en route to incarceration, or incarcerated in state or local facilities or a boot camp prison.

1. Was there at least one reportable death in your state during the reporting period? A reportable death refers to the death of an individual who was detained, arrested, en route to incarceration, or incarcerated in state or local facilities or a boot camp prison.

A. Yes

B. No (If No, this marks the conclusion of the module)

C. If yes, please provide the number of reportable deaths in your state during the reporting period

Save

Save & Continue

Answer all required questions and go to the 'Review' page to complete data entry



DCRA Data Collection Requirements

The screenshot shows a web interface for the Death in Custody Reporting Act (DCRA). At the top, there are three tabs: "DEATH IN CUSTODY REPORTING ACT", "Decedent Information", and "Review". The "Decedent Information" tab is selected. Below the tabs is a list of 10 rows, each containing the text "DECEDENT INFORMATION: -". At the bottom of the form, there are three buttons: "Back", "Save", and "Save & Continue". The "Save" button is circled in blue.

- Decedent information is presented in an accordion style
- Select each according to enter records
- Select 'Save' to move to the next record
- Select 'Save & Continue' to more to the 'Review' page

BULK UPLOAD IS NOT AVAILABLE AT THIS TIME



DCRA Data Collection Requirements

- Training
 - Training webinars and other resource material will be provided this fall/winter
 - JAG PMT training is scheduled for **October 31, 2019**, look for more information then**
 - Stay tuned for registration information



DCRA Data Collection Requirements

- DCRA Module Pilot Test
 - 7 States volunteered to pilot the DCRA module
 - 4 States were able to complete the testing
 - Feedback from the 4 States is being used to improve the system and for training purposes
- What did we learn from the Pilot Test
 - Desire for a bulk upload feature
 - Need for training
 - Areas where system validations will be added (e.g., date of death should not precede admission death)
 - States will need to make ensure that their POC for DCRA has PMT access

2020 Outlook

- ❑ Funding levels relatively stable according to House/Senate bills – no large change expected in existing programs
- ❑ The JAG appropriation will include the Presidential Nominating Conventions (extra \$100M)
- ❑ BJA will continue to support the AG and PDAAG priorities including reduction of violent crime, rural/tribal communities, human trafficking, elder abuse and substance abuse (opioids and meth)
- ❑ BJA staffing levels have been low for the last several years; hoping to bring on some number of new staff
- ❑ Revised risk levels but consistent monitoring procedures (10% of open grants). Working on better communication on the joint monitoring visits.



Questions?