How to Find and Use
Byrne Justice Assistance Grant (JAG)
Information for Juvenile Justice Reform

2012 CJJ CONFERENCE HANDOUT

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This document was made possible with the generous support of the Open Society Foundations, the Public Welfare Foundation, the Tow Foundation, and the John D. and Catherine T. MacArthur Foundation.
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What Are Byrne Justice Assistance Grants?
The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C. § 3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions.

In fiscal year 2011, a total of 56\(^1\) states/territories and 1,483 local jurisdictions were eligible for JAG funds, with a total of $368.26 million available (approximately $246 million to states and territories, and $122 million to local units of government).

**WHAT DO THE GRANTS PAY FOR?**
The majority of JAG funds are allocated to law enforcement, prosecution, and drug enforcement activities with the goal of reducing crime.

\(^1\) The 50 states, the District of Columbia, and U.S. territories including Puerto Rico, Guam, the U.S. Virgin Islands, American Samoa, and the Northern Mariana Islands.
Putting JAG Funds to Work for Youth and Safer Communities

JAG funds are authorized for a much broader range of programs than they are typically used for. The program is intended to provide states and units of local governments with critical funding necessary to support a range of program areas, including:

- law enforcement;
- prosecution and court programs;
- prevention and education programs;
- corrections and community corrections;
- drug treatment and enforcement;
- crime victim and witness initiatives; and
- planning, evaluation, and technology improvement programs.

The White House specifically states that JAG funding is to “be used to help communities keep their neighborhoods safer with more cops, prosecutors, and probation officers; more radios and equipment; more help for crime victims and more crime prevention programs for youth.”

This means that reformers can work to reallocate at least some portion of JAG funds toward prevention, intervention, and community-based treatment for youth. This guide will provide the information you need to help you do that.

WHEN AND HOW IS THE MONEY DISTRIBUTED?

The federal Bureau of Justice Assistance (BJA) manages the JAG program. The size of the total allocation varies each year, but states and territories receive an allocation based in part on a formula tied to population and violent crime rates.

Each state’s allocation is split: 60 percent goes to the State Administering Agency (SAA), and 40 percent goes to local units of government (but, see next paragraph for more detail). In turn, the SAA passes through some of its 60 percent allocation to local units of government. The SAA may also reserve some funds for direct grants to local organizations, including non-profits. (See diagram, below.)

Units of local governments can receive JAG funds as pass-through from their SAA, and they can also receive some portion of the 40 percent allocation direct from BJA, as long as they apply. Exceptions to this include jurisdictions with small population density or jurisdictions that fail to report crime statistics to the UCR (Uniform Crime Reporting). Jurisdictions that are eligible for a

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grant less than $10,000 do not receive a direct award from BJA. Instead, funds for “less than $10,000 jurisdictions” are allocated to the SAA. In turn, the SAA is responsible for distributing funds to the “less than $10,000 jurisdictions.”

The Bureau of Justice Assistance invites states and local governments to apply for the JAG program during the first quarter of the calendar year. Typically, the federal solicitation is published in February/March, with the application due in June/July. Awards are announced at the end of August or beginning of September, and funds become available in October. The grant period is typically four years.

Once the BJA awards are announced and transmitted, state and local governments invite stakeholders to apply for pass-through funds. Typically, state and local solicitations are published in November/December, followed by a public comment period and, in some states, hearings on the solicitation(s). Awards are announced in the first quarter of the calendar year.

Current and former JAG Solicitations and Awards are available at: https://www.bja.gov/Funding.aspx
The Key Role of Your State Administering Agency (SAA)

In each state and territory, the Governor or other Chief Executive Officer designates an agency, referred to as the State Administering Agency (SAA), to apply for and administer JAG funds.

The SAA is a critical player in the grant process. The SAA in your state can be found at: http://ncjp.org/state-agencies. You can find the lead administrator responsible for the SAA in your state by going to the Office of Justice programs website at http://www.ojp.usdoj.gov/saa/index.htm (shown below). There, you can click on your state and then scan the list of names for the “Justice Assistance Grant (JAG) Contact.”

Sixty percent of a state’s JAG allocation is awarded directly to the SAA. The SAA then passes JAG allocations through to local governments, community organizations and other non-profits.

The SAA is responsible for:

- Coordinating JAG funds among state and local justice initiatives.
- Preparing and submitting the state JAG application.
- Administering JAG funds, including establishing funding priorities, distributing funds, monitoring subgrantees’ compliance with all JAG special conditions and provisions, and providing ongoing assistance to subgrantees.
- Submitting quarterly financial status (SF-425) and performance metrics reports, annual program reports, and annual subgrant information.
• Ensuring that subgrantees are aware of and in compliance with all programmatic and financial rules through the use of special conditions and subgrantee monitoring.
• Passing through a pre-determined percentage of funds (based on the “Variable Pass-Through percentage” or “VPT”) to local jurisdictions. These percentages change periodically. Updated VPTs can be found at: www.ojp.usdoj.gov/BJA/grant/jag11/11JAGvpt.pdf.
• Administering the pass-through of funds to “less than $10,000 jurisdictions.”

Tracking JAG Money in Your Area

Tracking JAG allocations is a multi-step process. The first step is to go to the BJA website and determine the amount allocated directly from BJA to (1) your state and (2) local governments in your state. JAG allocations are public information. You can find current and former JAG solicitations and awards at: https://www.bja.gov/Funding.aspx

The second step is to find out how your state spent or allocated its JAG monies. (Remember, your SAA automatically receives 60 percent of the state allocation.) This information should be available from your SAA and should be located on its website (find your SAA’s contact information on http://ncjp.org/state-agencies). If this information is not published on your SAA’s website, call your SAA and ask for a list of the programs, state agencies, local governments, or any other entity to which JAG funds were allocated in the most recent budget cycle, and the amount granted to each.

Next, you should determine how local governments spent or allocated JAG funds received directly from BJA. (Remember, 40 percent of a state’s allocation is awarded directly to local governments.) You will also want to find out how local governments spent or allocated the JAG funds received from your state’s SAA. (Your SAA is required to pass through a portion of its JAG allocations to local government.)

This information may be available on the local government’s website and should be reflected in the local government’s budget. You may want to call the local government agency responsible for overseeing the JAG allocation. Your first call should be to the local government’s treasurer or budget office.
Other questions to ask:

- What role, if any, does your state’s legislature have in allocating JAG funds?
  - In most states, the SAA is an executive department and is closely controlled by the executive branch. An active member of the judicial or legislative branch may influence how JAG funds are allocated. Legislation can also mandate advice or consent from the legislature prior to allocation, change the process of allocation, or establish a specific organization as the SAA.

- Ask the SAA for a copy of your state’s annual report to the BJA on its JAG spending. This document can tell you a lot about where the money is going, and how success is or is not being measured. Note, however, that this report generally will not include information on direct grants from the SAA to local units of government.

How Are JAG Funds Are Allocated
Depending on how JAG funds are allocated in your jurisdiction, you may have an opportunity to get more JAG funds allocated to prevention and intervention. Here’s a road map for how you can make that happen.

1. EDUCATE YOURSELF ABOUT THE JAG PROGRAM

   Here are a few ways to learn about the JAG program:


   - Who is your SAA? As described above, you will need to identify the State Administering Agency (SAA) that administers JAG funds. The SAA in your state can be found at http://ncjp.org/state-agencies. You can find the lead administrator responsible for the SAA in your state by going to the Office of Justice Programs website at http://www.ojp.usdoj.gov/saa/index.htm (shown below). Find out if they have a website, and see what you can find out about how the JAG funds have been allocated. (What you can learn on the SAA’s website will vary by jurisdiction.)

   - Get an annual report. One way to learn about how your state has allocated JAG funds in the past is to locate a copy of your state’s annual report to the Bureau of Justice Assistance. These are public information and should be available upon request from your SAA. (Note: If local agencies—these are usually counties, but could be non-profits—have received JAG funds, they very likely to also have to submit reports on how they spent the funds, which may also be publicly accessible.)
• **Who else has a say in how JAG funds are spent?** Find out the role your legislature or local county commissioners play in making funding decisions with this money. Your SAA administrator should be able to help you with this.

2. **ANALYZE HOW THE MONEY IS BEING SPENT**

First, review how the money is spent.

You can do this by reviewing annual reports on spending and by talking with relevant officials who are involved in disbursing or overseeing JAG funds, such as your SAA administrator; legislators and legislative analysts; anyone in the governor’s office whose portfolio includes juvenile and criminal justice; county commission staff; or even the staff of your State Advisory Group on juvenile justice. (You can find contacts for the latter through the Coalition for Juvenile Justice, at [http://www.juvjustice.org/states.html](http://www.juvjustice.org/states.html).)

Here are some things to scrutinize:

- **What types of grants were made?**
  Did funds go primarily to one sort of intervention or response, e.g., drug task forces, gang task forces, and the like? Was it all directed at adults, or were there monies aimed at youth? Were any monies spent on prevention and education, or on community corrections?

- **How did grantees measure success, and what outcomes did they report?**
  In some states, many of the programs funded with JAG monies fail to include positive outcome measurements. For example, they may measure things like police patrol hours, number of people arrested, youth expelled, or drugs seized.

  During 2011-2012, BJA is in the process of revising the performance measures for the JAG program. The proposed measures can be found at: [https://www.bja.gov/Programs/jag_measures.html](https://www.bja.gov/Programs/jag_measures.html). The outcome measures for law enforcement grants continue to emphasize seizures of weapons and firearms, the dismantling of gangs, and number of arrests.

  Outcome measurements that demonstrate the success of a program—especially for a youth-focused intervention—include decreases in recidivism, increases in graduations from drug/alcohol treatment, increases in school attendance and graduation, and so on.

  Jurisdictions sometimes focus on labor-intensive efforts that do little to improve public safety. Accordingly, those jurisdictions end up spending more state or local
revenues than are allocated through the JAG program. The results of programs funded by JAG monies are sometimes modest, given the money invested.

So, if you are knowledgeable about the way JAG allocations are made and measured you can advocate that the SAA fund your program or innovation. Such as, using funds to operate after-school programs or other positive youth programming.

- **What is the Byrne JAG timeline?**
  It is important to understand the Byrne JAG timeline. Usually, it goes something like this:
  a. In February/March, the Bureau of Justice Assistance issues a solicitation to which states and local jurisdictions can respond. (Local governments can get JAG money direct from the BJA and from their SAA.) Their applications are due in June or July. States that fail to apply will not be awarded JAG funds.
  b. Recipients are chosen in August or September.
  c. Funds are supposed to be available in October, but BJA does not allocate JAG funds until after the federal budget is passed.
  d. In November/December, your SAA will invite local jurisdictions to apply for pass-through funds. The SAA must pass through at least the amount established in the Variable Pass-Through (VPT) guidelines (see page 7, above).
  e. The cycle begins again the following year.
Checklist

☑ Educate yourself about the federal JAG Program.

☑ Find out how JAG awards are spent in your state.
  a. The BJA website provides state agencies, state and local allocations, timeline, criteria, reports, etc.
  b. Who is your “state administrative agency” (SAA)?
     i. Does it have a (user-friendly) website where you can find information?
  c. Which individual there is the lead administrator on JAG funds?
  d. What is the role of your legislature in allocating JAG funds?
  e. Where can you find your state’s annual report to the Bureau of Justice Assistance?

☑ Assess the way the JAG funds are spent in your state.

☑ Read your state’s annual report to learn more about the programs that receive JAG funds:
  a. Determine which, if any, of these programs successfully address community safety in a cost-effective way.
  b. Identify how the programs are measuring success; often they list numbers of arrests as well as pounds of drugs or numbers of marijuana plants; they might also list guns seized.

☑ Ask questions: find out who knows what and who might support your request for funding.
  a. People to ask might include your State Administering Agency’s lead administrator on JAG funds.

☑ Develop your ask: how much money does your program/innovation need?

☑ Make yourself the go-to person on JAG funds.
  a. By engaging in the process, you will become one of the most informed people in your department about JAG funds.
  b. You will be an asset to your colleagues and you can be a valuable source of information.
Important Resources


- BJA grants – current and former: https://www.bja.gov/Funding.aspx

- Total Office of Justice Programs awards to your state: http://www.ojp.gov/funding/11grantawards.htm

- Bureau of Justice Assistance Awards – by grant program: http://www.ojp.gov/funding/FY2011_awards_solicitation.htm

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