



BJA Bureau of Justice Assistance Fact Sheet

Nancy E. Gist, Director

Edward Byrne Memorial State and Local Law Enforcement Assistance

FY 1995

Through the Edward Byrne Memorial State and Local Law Enforcement Assistance Program (the Byrne Program), the Bureau of Justice Assistance (BJA) provides leadership and guidance on crime and violence prevention and control, and works in partnership with State and local governments to make communities safe and to improve criminal justice systems. BJA develops and tests new approaches in criminal justice and crime control, and encourages replication of effective programs and practices by State and local criminal justice agencies. The Byrne Program, created by the Anti-Drug Abuse Act of 1988 (Pub. L. 100-690), places emphasis on drug-related crime, violent crime, and serious offenders, as well as multijurisdictional and multi-State efforts to support national drug control priorities.

BJA makes Byrne Program funds available through a Discretionary Grant Program and a Formula Grant Program. BJA awards discretionary grant funds directly to public and private agencies and private nonprofit organizations. Formula grant funds are awarded to the States, which then make subawards to State and local units of government.

Discretionary Grant Program

Program purposes: The Discretionary Grant Program provides Federal financial assistance to grantees for the following activities directly related to crime and violence prevention and control:

- Undertaking educational and training programs for criminal justice personnel.
- Providing technical assistance to State and local units of government.

- Undertaking projects that are national or multijurisdictional in scope.
- Providing financial assistance for demonstration programs that, in view of previous research or experience, are likely to be a success in more than one jurisdiction.

Funding: In FY 1995, \$50 million has been appropriated for the Byrne Discretionary Grant Program. An additional \$12 million has been appropriated specifically for correctional options programs.

Eligibility: Public and private agencies and private nonprofit organizations are eligible to apply for and receive funds under this program.

Matching requirements: Grants may be awarded for up to 100 percent of the costs of an approved project. A new policy implemented in FY 1995 advised jurisdictions participating in a demonstration program in FY 1995 that the Federal share of subsequent awards, if any, to those jurisdictions will decline by 25 percent per continuation award.

Program priorities: During FY 1995, program priorities focus on developing and implementing comprehensive approaches to crime, neighborhood-based programs with active citizen involvement, and violence prevention and control initiatives, with an emphasis on youth violence, as well as on improving the ability of the criminal justice system to remove serious and violent offenders from our communities.

Funding is available on a competitive basis in FY 1995 for the following programs:

- Communities in Action To Prevent Drug Abuse.
- Homicide Program.
- Firearms Control Program.

- Anti-Car-Theft Program.
- Adjudication Partnerships.
- Improving the Interaction Among Tribal, State, and Federal Courts.
- Litigation Project.
- Health Care Fraud Investigation and Prosecution Demonstration Program.

Several of these programs are limited competitions, available only to specified jurisdictions or organizations. Applications for competitive programs are due on July 28, 1995.

BJA's *FY 1995 Program Announcement and Application Kit* includes descriptions of the competitive programs and serves as a request for proposals. The kit outlines specific program requirements, as well as general application requirements, and provides the forms needed to complete an application. The kit also includes a copy of the Program Plan that describes BJA's priorities for FY 1995 and provides a short description of all programs that are planned for FY 1995.

A panel of experts will be established for each competitive program area to review and rank the applications. Funding decisions are made by the Director of BJA. Awards are made to applicants that offer the greatest potential for achieving program objectives.

Formula Grant Program

Program purposes: The Formula Grant Program is designed as a working partnership among Federal, State, and local governments to provide safer communities and a high quality of justice. BJA is authorized to make grants to States, for use by State and local units of government, to improve the functioning of the criminal justice system, with emphasis on violent crime and serious offenders, and to enforce State and local laws that establish offenses similar to offenses established in the Federal Controlled Substances Act. Grants may provide personnel, equipment, training, technical assistance, and information systems for more widespread apprehension, prosecution, adjudication, detention, and rehabilitation of persons who violate such laws, and may provide assistance (other than compensation) to their victims. There are 26 legislatively authorized purpose areas (outlined in the next section) for which assistance may be provided.

Eligibility: The 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands all are eligible to apply for formula grant funds.

For the purposes of the Formula Grant Program, references to "State" include all of these eligible entities.

Funding: In FY 1995, \$450 million has been appropriated for the Formula Grant Program. From this allocation, each State receives a base amount of 0.25 percent of the total formula allocation, with the remaining funds allocated on the basis of each State's relative share of the total U.S. population.

Statewide strategy: Each State is required to develop a statewide strategy to improve the functioning of the criminal justice system, with an emphasis on drug trafficking, violent crime, and serious offenders. The strategy is prepared after consultation with State and local officials, particularly those whose duty it is to enforce drug and criminal laws and to direct the administration of justice.

State office: The chief executive of each participating State designates a State office to administer the program and to coordinate the distribution of funds with State agencies receiving Federal funds for drug abuse education, prevention, treatment, and research activities and programs. An office or agency performing other functions within the State's executive branch may be designated to administer this program.

Administrative funds: Up to 10 percent of the formula grant funds allocated to a State may be used for administration of the Formula Grant Program.

Matching requirements: At least 25 percent of the cost of a formula grant program or project must be paid with non-Federal funds. These "match" funds must be in addition to funds that would otherwise be made available by the recipient for law enforcement. The match is generally met on a project-by-project basis, although BJA can approve a statewide match option.

Passthrough: Local units of government must receive a share of the State's formula grant funds. This share must be equal to the ratio of local criminal justice expenditures to total criminal justice expenditures for the State.

Funding priorities: In distributing funds, the State is directed to give priority to those jurisdictions with the greatest need.

Congressional mandates: The States are required to comply with the following congressional mandates:

- Criminal Justice Records Improvement:** States must use at least 5 percent of their awards for the improvement of criminal justice records.

- ❑ **Reporting Alien Convictions:** States must notify the Immigration and Naturalization Service of alien convictions, and provide the records of those convictions.
- ❑ **Testing Sex Offenders for HIV:** States must have and enforce a law that requires sex offenders to be tested for HIV if the victim requests such testing. If a State fails to comply, 10 percent of the State's formula grant will be withheld.

Construction: Grant funds may be used for construction of penal and correctional institutions only. Acquisition of land with grant funds is prohibited.

Period of project support: Projects may be funded under the Formula Grant Program for a maximum of 4 years (48 months). The exceptions are grants for multijurisdictional drug task forces, victim assistance programs, and multijurisdictional gang task forces, which may be funded beyond the 4 years.

Legislatively Authorized Program Purposes

Both the discretionary and the formula grant funds may be used to implement programs that carry out any of the 26 following legislatively authorized purposes:

1. Demand reduction education programs in which law enforcement officers participate.
2. Multijurisdictional task force programs that integrate Federal, State, and local drug law enforcement agencies and prosecutors for the purpose of enhancing inter-agency coordination and intelligence and facilitating multijurisdictional investigations.
3. Programs that target the domestic sources of controlled and illegal substances, such as precursor chemicals, diverted pharmaceuticals, clandestine laboratories, and cannabis cultivations.
4. Community and neighborhood programs that assist citizens in preventing and controlling crime, including special programs that address the problems of crimes committed against the elderly and special programs for rural jurisdictions.
5. Programs that disrupt illicit commerce in stolen goods and property.
6. Programs that improve the investigation and prosecution of white-collar crime, organized crime, public corruption crime, and fraud against the Government, with priority attention to cases involving drug-related official corruption.
7.
 - a. Programs that improve the operational effectiveness of law enforcement through the use of crime analysis techniques, street sales enforcement, schoolyard violator programs, and gang-related and low-income housing drug control programs.
 - b. Programs to develop and implement anti-terrorism plans for deep draft ports, international airports, and other important facilities.
8. Career criminal prosecution programs, including the development of proposed model drug control legislation.
9. Financial investigative programs that target the identification of money laundering operations and assets obtained through illegal drug trafficking, including the development of proposed model legislation, financial investigative training, and financial information-sharing systems.
10. Programs that improve the operational effectiveness of the court process by expanding prosecutorial, defender, and judicial resources and implementing court delay reduction programs.
11. Programs designed to provide additional public correctional resources and to improve the corrections system, including treatment in prisons and jails, intensive supervision programs, and long-range corrections and sentencing strategies.
12. Prison industry projects designed to place inmates in a realistic working and training environment that will enable them to acquire marketable skills and to make financial payments for restitution to their victims, for support of their own families, and for support of themselves in the institution.
13. Programs that identify and meet the treatment needs of adult and juvenile drug-dependent and alcohol-dependent offenders.
14. Programs that provide assistance to jurors and witnesses and assistance (other than compensation) to victims of crime.
15.
 - a. Programs that improve drug control technology, such as pretrial drug testing programs; programs that provide for the identification, assessment, referral to treatment, case management, and monitoring of drug-dependent offenders; and programs that provide enhancement of State and local forensic laboratories.
 - b. Criminal justice information systems that assist law enforcement, prosecution, courts, and corrections organizations (including automated fingerprint identification systems).

16. Innovative programs that demonstrate new and different approaches to enforcement, prosecution, and adjudication of drug offenses and other serious crimes.
17. Programs that address the problems of drug trafficking and the illegal manufacture of controlled substances in public housing.
18. Programs that improve the criminal and juvenile justice system's response to domestic and family violence, including spouse abuse, child abuse, and abuse of the elderly.
19. Drug control evaluation programs that State and local units of government may utilize to evaluate programs and projects directed at State drug control activities.
20. Programs that provide alternatives to detention, jail, and prison for persons who pose no danger to the community.
21. Programs in which the primary goal is to strengthen urban enforcement and prosecution efforts targeted at street drug sales.
22. Programs for the prosecution of driving-while-intoxicated charges and the enforcement of other laws relating to alcohol use and the operation of motor vehicles.
23. Programs that address the need for effective bindover systems for the prosecution of violent 16- and 17-year-old juveniles in courts with jurisdiction over adults for certain violent crimes.
24. Law enforcement and prevention programs that relate to gangs or to youth who are involved in or are at risk of involvement in gangs.
25. Programs that develop or improve forensic laboratory capabilities to analyze DNA for identification purposes.
26. Programs that assist States in the litigation processing of death penalty, Federal habeas corpus petitions.

Program Evaluation

The Anti-Drug Abuse Act of 1988 specifically mandates BJA's program evaluation activities. The goal is to identify programs of proven effectiveness and to disseminate information about these programs so that other jurisdictions throughout the country can replicate them. In addition, program evaluation results guide the formulation of policy and programs within Federal, State, and local criminal justice agencies. The National Institute of

Justice (NIJ) is an active participant in BJA's evaluation program. BJA and NIJ jointly develop evaluation guidelines and conduct a reasonable number of comprehensive evaluations of selected programs receiving discretionary and formula grant funds. The Director of NIJ is required to report to the President, the Attorney General, and the Congress on the nature and findings of the evaluation activities related to the Byrne Program.

Formula grant program applicants are required to include an evaluation component that meets the BJA/NIJ evaluation guidelines; the Director of BJA may waive this requirement under certain circumstances. Each State is required to provide BJA with an annual report that includes a summary of its grant activities and an assessment of the impact of these programs on the needs identified in its statewide strategy. Formula grant funds may be used to pay for evaluation activities.

Applicants for discretionary grant funding are required to include an evaluation component in their applications and to agree to conduct required evaluations according to procedures and terms established by BJA.

The Director of BJA is required to submit to the Speaker of the House of Representatives and the President pro tempore of the Senate an annual report that contains evaluation results of BJA programs and projects and State strategy implementation.

For Further Information

For additional information on the Bureau of Justice Assistance and its programs, contact any of the following offices:

Bureau of Justice Assistance, 633 Indiana Avenue NW., Washington, DC 20531.

Department of Justice Response Center at 1-800-421-6770 or locally at 202-307-1480, Monday through Friday, 9 a.m. to 5 p.m. eastern time.

BJA Clearinghouse at 1-800-688-4252, Monday through Friday, 8:30 a.m. to 7 p.m. eastern time. In addition to obtaining program information, callers may request to be placed on the BJA mailing list or to order copies of BJA publications.

Formula Grant Program Allocation of Funds

State	FY 1995 Allocation	Percentage To Be Passed Through to Local Jurisdictions	State	FY 1995 Allocation	Percentage To Be Passed Through to Local Jurisdictions
Alabama	\$ 7,332,000	50.95	New Jersey	12,805,000	57.67
Alaska	2,013,000	21.97	New Mexico	3,521,000	42.23
Arizona	6,960,000	61.04	New York	28,102,000	63.29
Arkansas	4,719,000	54.87	North Carolina	11,421,000	41.36
California	47,394,000	63.15	North Dakota	2,066,000	56.16
Colorado	6,412,000	58.82	Ohio	17,567,000	64.42
Connecticut	5,983,000	36.96	Oklahoma	5,915,000	45.41
Delaware	2,163,000	26.87	Oregon	5,620,000	46.98
District of Columbia	1,982,000	100.00	Pennsylvania	18,986,000	64.83
Florida	21,404,000	61.56	Rhode Island	2,607,000	41.76
Georgia	11,379,000	53.39	South Carolina	6,526,000	42.53
Hawaii	2,862,000	46.45	South Dakota	2,185,000	47.16
Idaho	2,754,000	52.41	Tennessee	8,684,000	48.78
Illinois	18,466,000	64.51	Texas	27,855,000	65.60
Indiana	9,594,000	56.78	Utah	3,882,000	49.76
Iowa	5,297,000	40.79	Vermont	1,979,000	25.11
Kansas	4,877,000	47.49	Virginia	10,748,000	30.04
Kentucky	6,742,000	32.30	Washington	8,915,000	60.25
Louisiana	7,492,000	51.92	West Virginia	3,823,000	47.93
Maine	2,962,000	41.59	Wisconsin	8,594,000	61.98
Maryland	8,486,000	44.47	Wyoming	1,822,000	54.95
Massachusetts	10,038,000	36.64	Puerto Rico	6,432,000	0
Michigan	15,176,000	53.10	Virgin Islands	1,276,000	0
Minnesota	7,821,000	70.29	American Samoa/ N. Mariana Islands	1,259,000*	0
Mississippi	5,043,000	52.52	Guam	1,322,000	0
Missouri	8,884,000	58.22			
Montana	2,369,000	58.56			
Nebraska	3,507,000	60.36			
Nevada	3,184,000	62.01			
New Hampshire	2,793,000	51.46			

*American Samoa (67 percent)—\$843,530; and Northern Mariana Islands (33 percent)—\$415,470.

Note: State population figures are based on Bureau of Census estimates: July 1, 1993, for States; July 1, 1992, for Puerto Rico; and April 1, 1990, for Territories.

Revised June 1995

NCJ FS000071

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

Washington, D.C. 20531

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