FY 1997 Local Law Enforcement Block Grants Program

The Omnibus Fiscal Year 1997 Appropriations Act, Public Law 104–208, provides $523 million for the implementation of the Local Law Enforcement Block Grants (LLEBG) Program, to be administered by the Bureau of Justice Assistance (BJA), U.S. Department of Justice. The purpose of the LLEBG Program is to provide funds to units of local government to underwrite projects to reduce crime and improve public safety. These projects must be funded in accordance with the seven purpose areas described below.

Program Purpose Areas

LLEBG Program funds may be used for one or more of the following seven purpose areas:

- **Law enforcement support for:**
  - Hiring, training, and employing on a continuing basis new, additional law enforcement officers and necessary support personnel. (If funds are used for hiring law enforcement officers, there must be a net gain over the unit of local government’s current appropriated budget in the number of law enforcement officers who perform nonadministrative public safety service.)
  - Paying overtime to presently employed law enforcement officers and necessary support personnel for the purpose of increasing the number of hours worked by such personnel.
  - Procuring equipment, technology, and other material directly related to basic law enforcement functions.

- Enhancing security measures in and around schools and in and around any other facility or location that the unit of local government considers a special risk for incidents of crime.

- Establishing or supporting drug courts. To be eligible for funding, a drug court program must include the following:
  - Continuing judicial supervision of nonviolent offenders with substance abuse problems.
  - Integrating the administration of other sanctions and services, which should include (i) mandatory periodic testing of each participant for the use of controlled substances or other addictive substances during any period of supervised release or probation; (ii) substance abuse treatment for each participant; (iii) probation or other supervised release involving possible prosecution, confinement, or incarceration because of noncompliance with program requirements or failure to show satisfactory progress; and (iv) programmatic offender management and aftercare services such as relapse prevention, vocational job training, and job and housing placement.

- Enhancing the adjudication of cases involving violent offenders, including cases involving violent juvenile offenders. For the purposes of this program, a violent offender is defined as a person charged with committing a Part I violent crime under the Uniform Crime Reports.

- Establishing, particularly in rural areas, a multijurisdictional task force composed of law enforcement personnel.
enforcement officials who represent units of local
government. This task force will work with Federal
law enforcement officials to prevent and control
crime.

- Establishing crime prevention programs involving
  cooperation between community residents and law
  enforcement personnel to control, detect, or investi-
gate crime or to prosecute criminals.
- Defraying the cost of indemnification insurance for
  law enforcement officers.

**Prohibition on Use of Funds**

LLEBG funds are not to be used to purchase, lease,
rent, or acquire tanks or armored vehicles, fixed-wing
aircraft, limousines, real estate, yachts, or any vehicle
not used primarily for law enforcement. Funds also are
not to be used to retain consultants. Construction of
new facilities is also prohibited. In addition, Federal
funds may not supplant State or local funds; they must
increase the amount of funds that would be available
otherwise from State and local sources.

**Eligibility for Funds**

Units of local government are eligible to apply for an
award. Units of local government are counties, towns
and townships, villages, cities, parishes, Indian tribes,
and Alaskan Native villages that carry out substantial
governmental duties.

**Matching Funds Requirement**

LLEBG funds may not exceed 90 percent of total pro-
gram costs, and participation requires a cash match
which will not be waived. Matching funds may be
provided from the following sources: State and local
government funds, the Housing and Community Devel-
opment Act of 1974, the Appalachian Regional Devel-
opment Act, the Equitable Sharing Program (Federal
asset-forfeiture distributions), and private funds.
All recipients must maintain records clearly showing
the source, amount, and timing of all matching
contributions.

**Program Requirements for Units of
Local Government**

To be eligible for LLEBG funds, a jurisdiction must
submit an application signed by its chief executive (e.g.,
mayor, county executive, or tribal chairman). In addi-
tion, each jurisdiction’s chief executive must:

- Establish an advisory board to review the applica-
tion. This board must be designated to make
nonbinding recommendations for the jurisdiction’s
proposed use of LLEBG funds. The advisory board
must include a member from at least each of the
following: the local law enforcement agency,
prosecutor’s office, court system, and school
system, as well as a nonprofit group (e.g., educa-
tional, religious, or community group) active in
crime prevention or drug use prevention or
treatment.
- Hold at least one public hearing regarding the
proposed use of funds.
- Forward the application to the Governor or desig-
nated representative at least 20 days prior to
submission to BJA, as required by statute.

*The first two steps need not occur prior to applying for
funds, but they must occur prior to the obligation
of funds and the issuance of a Grant Adjustment Notice
(GAN) by BJA.*

If funds are spent on the hiring of additional law en-
forcement officers, units of local government must give
suitable preference to members of the U.S. Armed
Forces who were involuntarily separated or retired due
to reductions in the U.S. Department of Defense.

**Distribution of Awards**

The Director of BJA will set aside funds for units of
local government within a State. The amounts will be
proportionate to the State’s average annual number of
Part I violent crimes compared to the number for all
States for the 3 most recent calendar years of data from
the Federal Bureau of Investigation. However, each
State will receive a minimum award of 0.25 percent of
the total amount available for formula distribution
under the LLEBG Program.

Awards to units of local government will be proportion-
ate to each local jurisdiction’s average annual number
of Part I violent crimes compared to the number for all
local jurisdictions in the State for the 3 most recent
calendar years.

- BJA will make awards directly to units of local
government when award amounts are at least
$10,000. Each unit of local government eligible to
apply for an award of $10,000 or more will be
notified by BJA.
- Each State will receive the remainder of its alloca-
tion for local applicants whose award amounts are
less than $10,000. BJA will make one aggregate
award directly to the State. The State will distribute these funds to State police departments that provide law enforcement services to units of local government and/or to units of local government whose allotment is less than $10,000. All funds must be used to reduce crime and improve public safety.

Each recipient must establish a trust fund for program funds, which may accrue interest. All Federal funds (including interest) not expended 2 years from the date of the initial award are to be returned to BJA within 90 days of project termination.

Section 104(b)(9) of the Omnibus Fiscal Year 1997 Appropriations Act contains the following provision to accommodate potential funding disparities within jurisdictions:

(A) Notwithstanding any other provision of this title, if —
   (i) the attorney general of a State certifies that a unit of local government under the jurisdiction of the State bears more than 50 percent of the costs of prosecution or incarceration that arise with respect to Part I violent crimes reported by a specified geographically constituent unit of local government, and
   (ii) but for this paragraph, the amount of funds allocated under this section to —
      (I) any one such specified geographically constituent unit of local government exceeds 200 percent of the amount allocated to the unit of local government certified pursuant to clause (i), or
      (II) more than one such specified geographically constituent unit of local government [excluding units of local government referred to in subclause I and in paragraph (7)], exceeds 400 percent of the amount allocated to the unit of local government certified pursuant to clause (i) and the attorney general of the State determines that such allocation is likely to threaten the efficient administration of justice, then in order to qualify for payment under this title, the unit of local government certified pursuant to clause (i), together with any such specified geographically constituent units of local government described in clause (ii), shall submit to the Director a joint application for the aggregate of funds allocated to such units of local government. Such application shall specify the amount of such funds that are to be distributed to each of the units of local government and the purposes for which such funds are to be used. The units of local government involved may establish a joint local advisory board for the purposes of carrying out this paragraph.

(B) In this paragraph, the term ‘geographically constituent unit of local government’ means a unit of local government that has jurisdiction over areas located within the boundaries of an area over which a unit of local government certified pursuant to clause (i) has jurisdiction.

When a potential funding disparity exists in a county’s allocation compared with that of a single municipality (200 percent), the State attorney general need only certify that a county under the jurisdiction of the State bears more than 50 percent of prosecution or incarceration costs arising from Part I violent crimes reported by the municipality.

When a funding disparity exists in a county’s allocation compared with that of multiple municipalities (400 percent), the State attorney general must certify that the county bears more than 50 percent of prosecution or incarceration costs arising from Part I violent crimes reported by the municipalities, AND that funding allocated under the LLEBG Program would threaten the efficient administration of justice within the county.

If the attorney general certifies to the applicable circumstances, the involved jurisdictions will be required by statute to develop and submit a joint spending plan. The joint spending plan may be submitted after the jurisdictions have been funded. State attorney general certifications for fiscal year 1997 grant recipients are due to BJA by 5 p.m. eastern time July 11, 1997.

As required by section 615 of the Omnibus Fiscal Year 1997 Appropriations Act, LLEBG Program applicants must be in compliance with the following in order to receive an award for their entire eligible amount:

- Of the funds appropriated in this Act under the heading “OFFICE OF JUSTICE PROGRAMS State and Local Law Enforcement Assistance,” not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grants shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as a direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits that are paid by the entity at the time of retirement or separation.
Administration of Funds by States

The Governor shall designate a State agency to administer LLEBG funds. The designated State agency will be responsible for submitting the State’s application, selecting subrecipients to receive funds, disbursing funds, and performing other administrative functions.

Deadline for Submissions

BJA will distribute application kits for local jurisdictions eligible for direct awards and State applicants no later than May 31, 1997. All applications must be received by July 11, 1997. BJA will begin making awards on a rolling basis as applications are received.

For More Information

To find out more about the LLEBG Program, contact the following offices:

Bureau of Justice Assistance
633 Indiana Avenue NW.
Washington, DC 20531
Tel: 202–305–2088
Fax: 202–514–5956
World Wide Web: http://www.ojp.usdoj.gov/BJA

Bureau of Justice Assistance Clearinghouse
P.O. Box 6000
Rockville, MD 20849–6000
Tel: 1–800–688–4252
World Wide Web: http://www.ncjrs.org

Clearinghouse staff are available Monday through Friday, 8:30 a.m. to 7 p.m. eastern time. Ask them to place you on the BJA mailing list.

Department of Justice Response Center
1–800–421–6770 or 202–307–1480
Response Center staff are available Monday through Friday, 9 a.m. to 5 p.m. eastern time.