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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [National Institute of Justice](#) (NIJ), is pleased to announce that it is seeking applications for funding to research issues relevant to State and/or local indigent criminal defense services, policies, and practices for juvenile and adult defendants. This program furthers the Department's mission by sponsoring research to provide objective, independent, evidence-based knowledge and tools to meet the challenges of crime and justice, particularly at the State and/or local level.

## Social Science Research on Indigent Defense

### Eligibility

In general, NIJ is authorized to make grants to, or enter into contracts or cooperative agreements with, States (including territories), units of local government (including federally-recognized Indian tribal governments as determined by the Secretary of the Interior), nonprofit and for-profit organizations (including tribal nonprofit or profit organizations), institutions of higher education (including tribal institutions of higher education), and certain qualified individuals. For-profit organizations must agree to forgo any profit or management fee. Foreign governments, foreign organizations, and foreign institutions of higher education are not eligible to apply.

### Deadline

Applicants must register with [Grants.gov](#) prior to submitting an application. (See "How to Apply," page 13.) All applications are due by 11:59 p.m. eastern time on May 23, 2012. (See "Deadlines: Registration and Application," page 3.)

### Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035 or via e-mail to [support@grants.gov](mailto:support@grants.gov).

**Note:** The Grants.gov Support Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

For assistance with any other requirements of this solicitation, contact either Nadine P. Frederique, Social Science Analyst, by telephone at 202-514-8777 or by e-mail at [Nadine.Frederique@usdoj.gov](mailto:Nadine.Frederique@usdoj.gov), or contact Donna J. Davis, Social Science Analyst, by telephone at 202-514-9331 or by e-mail at [Donna.Davis@ojp.usdoj.gov](mailto:Donna.Davis@ojp.usdoj.gov).

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# Social Science Research on Indigent Defense (CFDA No. 16.560)

## Overview

The Sixth Amendment of the U.S. Constitution requires appointment of counsel for accused persons who are unable to pay for private legal representation in criminal cases in this country, a right the U.S. Supreme Court has held extends to both Federal and State cases, adult and juvenile defendants, and felony and misdemeanor cases.<sup>1</sup>

However, as the Attorney General recently stated, “[I]n communities across the country, many children and adults enter our criminal justice system with nowhere to turn for guidance ... in far too many jurisdictions, young people have been encouraged to waive their right to counsel; low income adults have been denied the help they need from underfunded and understaffed public defender offices; and, each day, thousands of individuals are appearing in our courts with little understanding of their rights, the charges against them, or the potential sentences they face.”<sup>2</sup>

Social science research examining the fundamental issues surrounding access to quality legal representation has been lacking. Based on a long history of research and collaborative projects with other Office of Justice Programs (OJP) agencies<sup>3</sup> and Federal partners, NIJ has determined that rigorous research can play an integral role in indigent defense service, policy, and practice development. It is important to: (1) understand the barriers that indigent criminal defendants face in securing legal representation and resources; (2) identify and assess means to address these barriers; and (3) disseminate evidence-based recommendations that are easily accessible to practitioners and other stakeholders across the country.

As such, NIJ seeks to fund research projects focused on the area of indigent defense. This includes research inquiries into issues such as: waiver of counsel, the importance of defense team members in indigent defense cases, and/or investigator-initiated research focused on issues surrounding indigent defense.

**Authorizing Legislation:** Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (sections 201 and 202), Department of Justice Appropriations Act, 2012 (Public Law 112-55).

## Deadlines: Registration and Application

Applicants must register with [Grants.gov](http://Grants.gov) prior to submitting an application. OJP encourages applicants to register several weeks before the application submission deadline. The deadline to apply for funding under this announcement is 11:59 pm eastern time on May 23, 2012. See the “How to Apply” section on page 13 for details.

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<sup>1</sup> See *Gideon v. Wainwright* (372 U.S. 335 (1963)); *In re Gault* (387 U.S. 1 (1967)); and *Argersinger v. Hamlin* (407 U.S. 25 (1972)).

<sup>2</sup> See remarks by Attorney General Eric Holder, at the Equal Justice Works 25th Anniversary Gala, available at: [www.justice.gov/atj/opa/pr/speeches/2011/atj-speech-111020.html](http://www.justice.gov/atj/opa/pr/speeches/2011/atj-speech-111020.html).

<sup>3</sup> See Jones, J. (2004), Access to justice, *OJJDP Bulletin*, NCJ 204063; and NIJ Expert Working Group Report on International Perspectives on Indigent Defense; available at: [www.claraweb.us/wp-content/uploads/2011/10/International-Perspectives-on-Indigent-Defense-Sept-11-2011-.pdf](http://www.claraweb.us/wp-content/uploads/2011/10/International-Perspectives-on-Indigent-Defense-Sept-11-2011-.pdf); and 2011 OJP and BJA Report on the 1999 National Symposium on Indigent Defense; available at: [www.sado.org/fees/icjs.pdf](http://www.sado.org/fees/icjs.pdf).

## Eligibility

Please refer to the title page for eligibility under this program

## Program-Specific Information

This solicitation seeks applications for funding to examine indigent criminal defense services, policies, and practices. This includes services provided by any of the following: State-funded, county-funded, city-funded, or tribal public defender's offices; contract indigent defense lawyers; court-appointed counsel for indigent defendants; and/or pro bono services provided by criminal defense attorneys. These services can be at the pretrial, trial, post-conviction, and/or appellate stages and involve either juvenile and/or adult defendants. Applicants are encouraged to consider research involving either (1) access to counsel and waiver of counsel by juveniles and/or adults, or (2) the effectiveness of other defense team members in indigent defense cases. However, other strong research proposals will be considered as well. Within each of these study areas, NIJ seeks to fund research projects employing rigorous scientific methods. Application titles should clearly denote the specific focus area selected, either juvenile waiver and access to counsel, or adult waiver and access to counsel, or defense team members' effectiveness, or other relevant topics (describe topic).

### Causes and Consequences of Waiver of Counsel and Access to Counsel

#### Juveniles — Waiver of Counsel and Access to Counsel

The Sixth Amendment right to counsel for juveniles was confirmed in 1967 with the landmark Supreme Court case *In re Gault*,<sup>4</sup> which outlined American children's right to effective assistance of counsel throughout their case. Yet, youth who become involved with the juvenile justice system may not realize this basic right.

Access to counsel remains an issue in the juvenile courts. One circumstance in which juveniles may not have access to counsel involves cases in which a juvenile waives that right. The rate of juvenile waiver of counsel varies by jurisdiction; for example, Pennsylvania reports a rate of about 11 percent, whereas some parishes in Louisiana report that 80 to 90 percent of their youth waive their right to an attorney.<sup>5</sup> These statistics demonstrate that the waiver of counsel is the most likely reason that juveniles appear without counsel in criminal/delinquent matters in many jurisdictions.<sup>6</sup>

Anecdotal accounts abound regarding the causes for waiver of counsel by juveniles in delinquency cases. These causes may include: the juveniles' and/or their parents' ignorance of juveniles' rights of access to counsel and the potential consequences of waiving that right, procedural factors that may serve to discourage juveniles' use of counsel, and jurisdictional practices and policies that may hinder the exercise of their right to counsel.

Preliminary research indicates that, in a number of jurisdictions, juveniles and their families are not adequately advised of their rights at the early stages of the court

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<sup>4</sup> 387 U.S. 1 (1967).

<sup>5</sup> See Jones, J. (2004), Access to counsel, *OJJDP Bulletin*, NCJ 204063.

<sup>6</sup> Feld, B. (2010), The right to counsel in juvenile court: Law reform to deliver legal services and reduce justice by geography, *Criminology & Public Policy* 9(2):327–356.

process. In some jurisdictions, youth have no opportunity to consult with counsel before they waive their rights,<sup>7</sup> and counsel is not notified of their appointment until after the arraignment/initial detention hearings.<sup>8</sup> Additional explanations cited for youth waiving their rights to counsel include: (1) juveniles do not think their case is serious enough to require the services of counsel; (2) juveniles are more likely to opt for waiver of counsel to avoid being detained for extended periods, such as the weekend; and/or (3) their parents fear the cost of engaging defense counsel and are unaware that one may be appointed at no cost to them.

Procedural factors also may play a role in juveniles' and their families' decisions to waive counsel. Jurisdictions vary in the stage of the court process that defense counsel are appointed, including: the pretrial investigation; hearings for transfer to criminal court, adjudication, dispositions hearings; and/or post-disposition proceedings. State studies suggest that juveniles often do not have access to counsel at the early stages of their case and that, when appointed, defense counsel often lack the time to become familiar with the clients and the facts of their case.<sup>9</sup> In addition, these studies suggest that courts: do not advise juveniles adequately of their right to counsel, readily accept waivers of counsel without a process where juveniles are advised of their rights, and fail to appoint counsel if judges do not expect to impose a custodial sentence.<sup>10</sup> Other factors that may lead to a waiver include: the jurisdictions' high caseload for juvenile defense counsel; the lack of adequate compensation levels for attorneys who represent juveniles; low recruitment, retention, and training of attorneys for juvenile defense; and the lack of time and ability of defense counsel to conduct investigations and/or provide other legal services.

Few studies empirically examine the causes and consequences of juvenile waiver of the right to counsel. Of the few studies performed to date, most offer conflicting evidence on whether there is a "counsel penalty" for juveniles.<sup>11</sup> That is, indigent juvenile defendants represented by appointed counsel may be more likely to receive harsher consequences when compared with juveniles who waived their rights and proceeded unrepresented during their delinquency proceedings.

To address this apparent contradiction in the literature and examine more fully the causes of waiver of counsel, NIJ seeks to fund a study addressing the causes and consequences of the waiver of counsel for juveniles. In addition to examining the impacts of juvenile waiver on juvenile justice system resources (e.g., the proportion of represented and unrepresented juveniles that remain in detention after initial hearings), NIJ also seeks research to examine long-term consequences of juvenile waiver. For example, how does waiver of the right to counsel have an impact on a juvenile defendant's experience in: being placed in out-of-home care (including lockdown facilities), recidivism, and/or the likelihood of later engaging in criminal behavior once

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<sup>7</sup> Some jurisdictions, including Ohio, are proposing legislation that would change this; see [www.opd.ohio.gov/Juvenile/Jv\\_Right\\_to\\_Counsel.htm](http://www.opd.ohio.gov/Juvenile/Jv_Right_to_Counsel.htm).

<sup>8</sup> For example, see Calvin, E. (2003), *Washington: An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings*, Washington, DC: American Bar Association Juvenile Justice Center; Puritz, P., M. Scali, and I. Picou, (2002), *Virginia: An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings*, Washington, DC: American Bar Association Juvenile Justice Center.

<sup>9</sup> Jones, J. (2004), Access to counsel, *OJJDP Juvenile Justice Bulletin*, NCJ 204063.

<sup>10</sup> Ibid.

<sup>11</sup> Armstrong, G.S., and B. Kim (2011). Juvenile penalties for "lawyering up": The role of counsel and extralegal case characteristics, *Crime & Delinquency*, 57:827–848; and Guevara, L., C. Spohn, and D. Herz (2004), Race, legal representation, and juvenile justice: Issues and concerns, *Crime & Delinquency*, 50:344–371.

they enter adulthood; and in what way, if any, does this experience vary for juveniles across different jurisdictions in the country?

### **Adults — Waiver of Counsel and Access to Counsel at all Stages**

Although some research has been conducted on juveniles' waiver of right to counsel, comparatively little social science research attention has been devoted to indigent adults, their access to counsel in criminal matters, and their decisions to waive counsel. However, indigent adults face similar challenges in appointment of legal representation across this country. These challenges can include: being erroneously deemed ineligible to receive indigent defense services, the assessment of fees once counsel is appointed, and administrative processes and policies that may serve to discourage defendants from exercising their right to counsel.

For example, in 2007, although 83 percent of county-based public defender offices used formal criteria to determine if a defendant qualified for public representation, about 67 percent of those offices left the indigency determination up to the judge's discretion. According to recent BJS surveys, more than 4 in 5 county-based public defender offices charged fees for defense services.<sup>12</sup> Eighty-two percent of county-based public defender offices allowed for the recoupment of fees, purportedly including the cost of: public defender services, court-related expenses, standard statutory fees, upfront application fees, and expert witness fees. Moreover, some jurisdictions have practices and policies that may discourage or prevent indigent defendants from using legal representation, especially in misdemeanor offenses. Colorado, for example, has a statute that states that, for misdemeanors and certain other specified offenses, an indigent defendant's application for appointment of counsel will be deferred until after the prosecutor has spoken to the defendant.<sup>13</sup>

NIJ seeks a study to examine which, if any, procedural policies and practices may have a "chilling effect" on the exercise of an adult defendant's Sixth Amendment rights. For example, research may be proposed that examines the influence of fee recoupment and co-pay policies on rates of waiver by adult defendants across multiple jurisdictions; or research may be proposed that examines the impact of statutes and/or local practices that deem defendants ineligible for indigent defense services once they have posted bail in their cases.

### **Researching the Importance of Other Defense Team Members**

As stated in the Overview section above, in addition to waiver of counsel, two other areas of concern to the Attorney General and others in the field are: the underfunding and understaffing of indigent defense offices and the problem of indigent defendants not understanding the dictates of their cases, nor the journey they have to take through the criminal justice system to resolve the charges against them. Both of these problems are particularly evident in the availability, or lack thereof, of supportive defense team services for indigent defense attorneys and the impact this has on indigent defendants across the country.

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<sup>12</sup> Farole, D.J., and L. Langton (2010), *County-Based and Local Public Defender Offices, 2007*, Washington, DC: Bureau of Justice Statistics.

<sup>13</sup> Col. Rev. Stat. § 16-7-301(4) (2011).

Within a defense team, support staff services consist of full- or part-time employees, typically non-attorneys, and include: legal researchers, law student interns, social workers, paralegals, criminal investigators,<sup>14</sup> language interpreters, and/or capital mitigation specialists,<sup>15</sup> who provide assistance on indigent defense cases. If these services are not available via full- or part-time defense team staffers within the indigent defense office, States and/or counties may provide funding for these services on a case-by-case basis, such as funding client mental health evaluations and/or expert witness services in relevant cases.<sup>16</sup>

These defense team services are seen as critical by many practitioners in the field. Some in the field refer to the necessary inclusion of these services as “holistic defense”<sup>17</sup> and others as “therapeutic defense.”<sup>18</sup> However, regardless of the nomenclature used, their perceived importance lies in that, among other things, they purportedly lead to: alternative sentencing and pretrial diversion agreements (e.g., when social workers help locate and enroll clients in drug treatment as an alternative to adjudication and incarceration); acquittals of innocent defendants (e.g., through the use of investigator services); and/or aid to defendants that may help them understand and maneuver through the justice system more easily (e.g., in the case of language interpreters for non-English-speaking clients).<sup>19</sup> Without these services indigent defense counsel can be greatly limited in their ability to represent their clients, including not being able to: offer persuasive alternatives to incarceration, fully investigate their clients’ case, and/or communicate with non-English-speaking clients only on days when language interpreters are more readily available, such as days on which court proceedings are held.

Moreover, unlike the appointment of counsel and most mental health case services, supportive legal defense team services are not uniformly considered constitutionally or court-mandated. As a result, their provision is typically subject to the availability of funding within a specific office and/or jurisdiction. Thus, the availability of these services varies greatly among indigent defense offices. For example, county-based, public defender offices with a higher volume of cases, typically located in urban areas, are more likely to employ defense team members such as investigators and/or social workers than their lower volume counterparts.<sup>20</sup> However, even though they are more likely to employ full- or part-time defense team staff, only 7 percent of these offices meet the guideline requirements for support staffing levels, as outlined by the NLADA and

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<sup>14</sup> See Farole, D.J., and L. Langton (2010), *County-Based and Local Public Defender Offices, 2007*, Washington, DC: Bureau of Justice Statistics.

<sup>15</sup> See Hughes, E. (2009), Mitigating death, *Cornell Journal of Law and Public Policy* 18:337.

<sup>16</sup> In 1985, the U.S. Supreme Court in *Ake v. Oklahoma*, 470 U.S. 68 (1985), held that indigent criminal defendants have the right to independent mental health expert assistance in cases in which the clients’ sanity is likely to be a significant issue at trial.

<sup>17</sup> See The Center for Holistic Defense at: [www.bronxdefenders.org/our-work/center-holistic-defense](http://www.bronxdefenders.org/our-work/center-holistic-defense).

<sup>18</sup> See Clarke, C., and J. Neuhard (2005), Making the case: Therapeutic jurisprudence and problem solving practices positively impact clients, justice systems and communities they serve, *St. Thomas Law Review* 17, 781.

<sup>19</sup> For example, evidence of the importance practitioners place on these services can be found in the National Legal Aid and Defender Association (NLADA) Guidelines for Legal Defense Systems in the United States, which state that: “social workers, investigators, paralegal and paraprofessional staff as well as clerical/secretarial staff should be employed to assist attorneys in performing tasks not requiring attorney credentials or experience and for tasks where supporting staff possess specialized skills,” (NLADA (1963), *Guidelines for Legal Defense Systems in the United States, Compendium of Standards for Indigent Defense Systems, Vol. 1* (F, 4.1)).

<sup>20</sup> See Farole, D.J., and L. Langton (2010), *County-Based and Local Public Defender Offices, 2007*, Washington, DC: Bureau of Justice Statistics.

others.<sup>21</sup> For those with a lower volume of cases (less than 1,000 per year), 9 out of 10 have no investigator on staff at all, and only one out of a total of 136 of these offices employs a social worker.<sup>22</sup> Even less is known about the availability of these services in other types of indigent defense offices (contract, court-appointed, or pro bono counsel), but anecdotal evidence suggests that few if any of these offices are afforded this assistance.

Although researchers in the past have attempted to evaluate the effectiveness and importance of some of these defense team services in indigent defense cases, those studies tend to be out of date with today's current criminal justice system<sup>23</sup> and/or consist of self- or in-house evaluations,<sup>24</sup> thus facing issues of objectivity and/or lack a social science perspective.<sup>25</sup> Other studies provide indirect evidence of the effectiveness of bilingual attorneys<sup>26</sup> or language interpreters, but more focused attention in this area is still needed. In addition, the few social science studies that have been done to date have primarily focused on county or State public defender offices,<sup>27</sup> but have not investigated the effectiveness of these support services in other types of indigent defense services (such as those provided by contract, court-appointed, and/or pro bono attorney offices).

Focused research that includes use of rigorous social science techniques needs to be conducted in this area before more definitive conclusions can be drawn. Thus, NIJ seeks a study to examine which, if any, defense team member services may improve case outcomes in indigent defense cases. For example, research may be proposed that examines, across multiple jurisdictions, the availability of these services in each type of indigent defense office, and what effect, if any, the availability of legal researchers, law student interns, social workers, paralegals, criminal investigators, language interpreters, capital mitigation specialists, and/or other defense team members may have on case outcomes in adult and/or juvenile indigent defense cases.

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<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> See Keilitz, I. (1988), *Evaluation of Mental Health Expert Assistance Provided to Indigent Criminal Defendants: Organization, Administration, and Fiscal Management*, Washington, DC: National Institute of Justice.

<sup>24</sup> See LFA Group (2009), *Reentry Unit, Social Work Services Program Evaluation*, San Francisco, CA: Office of the Public Defender, City and County of San Francisco; available at: <http://sfpublicdefender.org/wp-content/uploads/2009/05/reentry-unit-program-evaluation.pdf>.

<sup>25</sup> See Clarke, C., and J. Neuhard (2005), Making the case: Therapeutic jurisprudence and problem solving practices positively impact clients, justice systems and communities they serve, *St. Thomas law Review* 17:781.

<sup>26</sup> See Abrams, D.S., and A.H. Yoon (2007), The luck of the draw: Using random case assignment to investigate attorney ability, *University of Chicago Law Review* 74(4).

<sup>27</sup> See Barber, G., and R. Stone (2008), *Social Work Pilot Project Report*, Louisville, KY: Kentucky Department of Public Advocacy; available at: [http://dpa.ky.gov/NR/rdonlyres/369E42F6-ECFF-4E51-ACC6-99F609A511D3/0/SW\\_Pilot\\_Report.pdf](http://dpa.ky.gov/NR/rdonlyres/369E42F6-ECFF-4E51-ACC6-99F609A511D3/0/SW_Pilot_Report.pdf).

## Other Indigent Defense Research Proposals

In addition to the above-listed areas, NIJ will consider all proposals in the area of indigent defense that employ rigorous research methods and innovative dissemination strategies.

## Goals, Objectives, and Deliverables

The goals of this solicitation are two-fold. First, this solicitation seeks to increase the amount of rigorous research in the field of indigent defense services, policies, and practices. Second, NIJ seeks to develop useful tools that will improve the quality of indigent defense services and the availability of those services nationwide.

In seeking to achieve these goals, a primary objective of this solicitation is to stimulate research partnerships between social scientists, legal experts, and/or indigent defense practitioners to examine issues relevant to access to counsel and effective assistance of counsel in a scientifically rigorous way. Preference will be given to proposals with multijurisdictional study designs and independent evaluation components.

## Evidence-based Programs or Practices

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence (generally obtained through one or more outcome evaluations). Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. OJP's website [www.crimesolutions.gov](http://www.crimesolutions.gov) is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

**Amount and length of awards:** NIJ anticipates that up to a total of \$1 million may become available for a single or multiple awards made through this solicitation. **All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.** NIJ funding for an individual research project rarely exceeds \$500,000, though total funding for projects requiring multiple years to complete has exceeded \$1 million in some cases.

Applicants should be aware that the total period for an award ordinarily will not exceed 3 years.

**Evaluation research:** Within applications proposing evaluation research, funding priority will be given to experimental research designs that use random selection and assignment of participants to experimental and control conditions. When randomized designs are not feasible, priority will be given to quasi-experimental designs that include contemporary procedures such as Propensity Score Matching or Regression Discontinuity Design to address selection bias in evaluating outcomes and impacts.

Evaluations that also include measurements of program fidelity and implementation as part of a thorough process assessment are desirable. Measurements of program fidelity should be included as part of an assessment of program processes and operations to ensure that policies, programs, and technologies are implemented as designed. As one aspect of a comprehensive evaluation, assessments of program processes should include objective measurements and qualitative observations of programs as they are actually implemented and of services that are delivered. These may include assessment of such aspects as adherence to program content and protocol, quantity and duration, quality of delivery, and participant responsiveness.

Proposed evaluation research designs with multiple units of analysis and multiple measurements will also be given priority. Design aspects that contribute to the validity of results are necessary to effectively address issues of generalizability and representativeness of findings.

Finally, applications that include cost/benefit analysis will be given priority. NIJ views cost/benefit analysis as an effective way to communicate and disseminate findings from evaluation research.

**Please note:** All applicants under this solicitation must comply with Department of Justice regulations on confidentiality and human subjects' protection. See "Other Requirements for OJP Applications" at [www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm).

**What will not be funded:**

1. Provision of training or direct service.
2. Proposals primarily to purchase equipment, materials, or supplies. (The budget may include these items if they are necessary to conduct applied research, development, demonstration, evaluation, or analysis.)
3. Work that will be funded under another specific solicitation.
4. Proposals that do not contain a research component or do not respond to the specific goals of this solicitation.
5. Surveys of the field or proposals for self or in-house types of evaluation.

**Budget Information**

**Limitation on Use of Award Funds for Employee Compensation; Waiver**

With respect to any award of more than \$250,000 made under this solicitation, federal funds may not be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the Federal Government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. The 2012 salary table for SES employees is available at [www.opm.gov/oca/12tables/indexSES.asp](http://www.opm.gov/oca/12tables/indexSES.asp). Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the Director of the National Institute of Justice. An applicant requesting a waiver should include a detailed justification in the budget narrative of its application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit its budget.

The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

### **Minimization of Conference Costs**

No OJP funding can be used to purchase food and/or beverages for any meeting, conference, training, or other event. Exceptions to this restriction may be made only in cases where such sustenance is not otherwise available (i.e., extremely remote areas), or where a special presentation at a conference requires a plenary address where there is no other time for sustenance to be obtained. Such an exception would require prior approval from OJP. This restriction does not apply to water provided at no cost, but does apply to any and all other refreshments, regardless of the size or nature of the meeting. Additionally, this restriction does not impact direct payment of per diem amounts to individuals in a travel status under the organization's travel policy.

Updated Department of Justice and OJP guidance on conference planning, minimization of costs, and conference cost reporting will be forthcoming and will be accessible on the OJP website at [www.ojp.usdoj.gov/funding/funding.htm](http://www.ojp.usdoj.gov/funding/funding.htm).

### **Costs Associated with Language Assistance (if applicable)**

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits by individuals with limited English proficiency may be allowable costs. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the "Civil Rights Compliance" section of the OJP "Other Requirements for OJP Applications" Web page ([www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm)).

### **Match Requirement**

See "Cofunding" under "What an Application Should Include" (below).

### **Performance Measures**

To assist the Department in fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, applicants that receive funding under this solicitation must provide data that measure the results of their work done under this solicitation. Any award recipient will be required, post award, to provide the data requested in the "Data Grantee Provides" column so that OJP can calculate values for the "Performance Measures" column. (Submission of performance measures data is not required for the application.) Performance measures for this solicitation are as follows:

| Objective   | Performance Measure(s)   | Data Grantee Provides   |
|---|--|---|
| Develop and analyze information and data having clear implications for criminal justice policy and practice in the United States. | <ol style="list-style-type: none"> <li>1. Relevance to the needs of the field as measured by whether the grantee's substantive scope did not deviate from the funded proposal or any subsequent agency modifications to the scope.</li> <li>2. Quality of the research as assessed by peer reviewers.</li> <li>3. Quality of management as measured by whether significant interim project milestones were achieved, final deadlines were met, and costs remained within approved limits.</li> <li>4. If applicable, number of NIJ final grant reports, NIJ research documents, and grantee research documents published.</li> </ol> | <ol style="list-style-type: none"> <li>1. A final report providing a comprehensive overview of the project and a detailed description of the project design, data, and methods; a full presentation of scientific findings; and a thorough discussion of the implications of the project findings for criminal justice practice and policy in the United States.</li> <li>2. Quarterly financial reports, semi-annual progress reports, and a final progress report.</li> <li>3. If applicable, each data set that was collected, acquired, or modified in conjunction with the project.</li> <li>4. If applicable, citation to report(s)/document(s).</li> </ol> |

## Notice of Post-Award FFATA Reporting Requirement

Applicants should anticipate that OJP will require all recipients (other than individuals) of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier sub-recipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding subawards will be made through the FFATA Sub-award Reporting System (FSRS), found at [www.fsrs.gov](http://www.fsrs.gov).

Please note also that applicants should anticipate that no sub-award of an award made under this solicitation may be made to a sub-recipient (other than an individual) unless the potential sub-recipient acquires and provides a Data Universal Numbering System (DUNS) number.

## How to Apply

Applications will be submitted through Grants.gov. Grants.gov is a “one-stop storefront” that provides a unified process for all customers of federal awards to find funding opportunities and apply for funding. Complete instructions on how to register and submit an application can be found at [Grants.gov](http://Grants.gov). If the applicant experiences technical difficulties at any point during this process, call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, 24 hours a day, 7 days a week, except federal holidays. Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take up to several weeks** for

first-time registrants to receive confirmation and a user password. OJP highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the specified application deadline.

All applicants are required to complete the following steps:

1. **Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their applications for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and sub-recipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling Dun and Bradstreet at 866-705-5711 or by applying online at [www.dnb.com](http://www.dnb.com). A DUNS number is usually received within 1-2 business days.
2. **Acquire or renew registration with the Central Contractor Registration (CCR) database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the CCR database. An applicant must be registered in the CCR to successfully register in Grants.gov. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and sub-recipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Note, however, that applicants must **update or renew their CCR registration annually** to maintain an active status. Information about CCR registration procedures can be accessed at [www.ccr.gov](http://www.ccr.gov).
3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. The applicant organization's DUNS number must be used to complete this step. For more information about the registration process, go to [www.grants.gov/applicants/get\\_registered.jsp](http://www.grants.gov/applicants/get_registered.jsp).
4. **Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. Note that there can be more than one AOR for the organization.
5. **Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.560, entitled "National Institute of Justice Research, Evaluation, and Development Project Grants," and the funding opportunity number is NIJ-2012-3166.
6. **Complete the Disclosure of Lobbying Activities.** All applicants must complete this information. An applicant that expends any funds for lobbying activities must provide the detailed information requested on the form, *Disclosure of Lobbying Activities* (SF-LLL). An applicant that does not expend any funds for lobbying activities should enter "N/A" in the required highlighted fields.

7. **Submit an application consistent with this solicitation by following the directions in Grants.gov.** Within 24–48 hours after submitting the electronic application, the applicant should receive an e-mail validation message from Grants.gov. The validation message will state whether the application has been received and validated, or rejected, with an explanation. **Important:** Applicants are urged to submit applications **at least 72 hours prior** to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused a rejection notification.

**Note: Grants.gov will forward the application to OJP’s Grants Management System (GMS). GMS does not accept executable file types as application attachments.** These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.”

**Note: Duplicate Applications.** If an applicant submits multiple versions of an application, NIJ will review the most recent version submitted.

### **Experiencing Unforeseen Grants.gov Technical Issues**

If an applicant experiences unforeseen Grants.gov technical issues beyond the applicant’s control that prevent submission of its application by the deadline, the applicant must email the NIJ contacts identified in the Contact Information section on the title page **within 24 hours after the application deadline** and request approval to submit its application. The applicant must include in the e-mail: a description of the technical difficulties, a timeline of submission efforts, the complete grant application, the applicant DUNS number, and Grants.gov Help Desk tracking number(s) the applicant has received. **Note: Requests are not automatically approved by NIJ.** After the program office reviews all of the information submitted, and contacts the Grants.gov Help Desk to validate the technical issues reported, OJP will contact the applicant to either approve or deny the request to submit a late application. If the technical issues reported cannot be validated, the application will be rejected as untimely.

The following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time, (2) failure to follow Grants.gov instructions on how to register and apply as posted on its Web site, (3) failure to follow all of the instructions in the OJP solicitation, and (4) technical issues experienced with the applicant’s computer or information technology (IT) environment, including firewalls.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP funding Web page at [www.ojp.usdoj.gov/funding/solicitations.htm](http://www.ojp.usdoj.gov/funding/solicitations.htm).

### **What an Application Should Include**

Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

Moreover, applicants should anticipate that applications that are unresponsive to the scope of the solicitation, or that do not include application elements designated by NIJ to be critical will neither proceed to peer review nor receive further consideration. Under this solicitation, NIJ has

designated the following application elements as critical: program narrative, budget detail worksheet and budget narrative, and resumes/curriculum vitae of key personnel. The Budget Narrative and the Budget Detail Worksheet may be combined in one document. However, if only one document is submitted, it must contain **both** narrative and detail information.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet and Budget Narrative," "Timelines," "Memoranda of Understanding," "Resumes") for all attachments. OJP recommends that resumes be included in a single file.

**1. Information to complete the Application for Federal Assistance (SF-424)**

The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and GMS take information from the applicant's profile to populate the fields on this form. When selecting "type of applicant," if the applicant is a for-profit entity, select "For-Profit Organization" or "Small Business" (as applicable).

**2. Program Narrative**

The program narrative section of the application should not exceed 30, 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 30-page limit for the narrative section.

If the program narrative fails to comply with these length-related restrictions, noncompliance may be considered in peer review and in final award decisions.

**Program Narrative Guidelines:**

- a. **Title Page** (not counted against the 30-page program narrative limit).  
The title page should include the title of the project, submission date, funding opportunity number, and the applicant's name and complete contact information (i.e., name, address, telephone number, and e-mail address).
- b. **Project Abstract** (not counted against the 30-page program narrative limit).  
The 400 to 600-word abstract should state the problem under investigation (including research goals and objectives) and the anticipated relevance of the project to criminal justice public policy, practice, or theory. It should describe the proposed method and/or research design, including data to be used in addressing research questions, data collection procedures and instrumentation, access to data, and other methods or procedures of the proposed study. It should also describe procedures for data analysis and all expected products, including interim and final reports, instrumentation, and devices. If applicable, it should describe the subjects who will be involved in the proposed project, including the number of participants; participants' age, gender, and race/ethnicity; and other pertinent characteristics, such as methods used to gain access to subjects.
- c. **Resubmit Response** (if applicable) (not counted against the 30-page program narrative limit). If an applicant is resubmitting a proposal that was presented previously to NIJ, but not funded, the applicant should indicate this. A statement should be provided, no more than two pages, addressing: (1) the title,

submission date, and NIJ-assigned application number of the previous proposal, and (2) a brief summary of revisions to the proposal. This document should be inserted after the abstract.

- d. **Table of Contents and Figures** (not counted against the 30-page program narrative limit).
- e. **Main body.** The main body of the program narrative should describe the project in depth. The following sections should be included as part of the program narrative:
- Statement of the Problem.
  - Project/Program Design and Implementation.
  - Capabilities/Competencies.
  - Impact/Outcomes and Evaluation.
  - Dissemination Strategy.

Within these sections, the narrative should address:

- Purpose, goals, and objectives.
- Review of relevant literature.
- Detailed description of research design and methods to include: research questions, hypotheses, description of sample, analysis plan, etc.
- Implications for criminal justice policy and practice in the United States.
- Management plan and organization.

- f. **Appendices** (not counted against the 30-page program narrative limit) include:
- Bibliography/references.
  - Any tools/instruments, questionnaires, tables/charts/graphs, or maps pertaining to the proposed study.
  - Curriculum vitae, resumes or biographical sketches of key personnel.
  - Project timeline and research calendar with expected milestones.
  - Research independence and integrity (see “Selection Criteria,” below).
  - Human Subjects Protection Paperwork including Institutional Review Board (IRB) documentation and forms (see [www.ojp.gov/nij/funding/humansubjects/human-subjects.htm](http://www.ojp.gov/nij/funding/humansubjects/human-subjects.htm)).
  - Privacy Certificate (for further guidance go to [www.ojp.gov/nij/funding/humansubjects/privacy-certificate-guidance.htm](http://www.ojp.gov/nij/funding/humansubjects/privacy-certificate-guidance.htm)).
  - List of previous and current NIJ awards to applicant organization and investigator(s).
  - Letters of cooperation/support or administrative agreements from organizations collaborating in the project, such as law enforcement and correctional agencies (if applicable).
  - List of other agencies, organizations, or funding sources to which this proposal has been submitted (if applicable).
  - Other materials specified by the solicitation.
  - Data archiving plan (see descriptive paragraph below).

**Data Archiving Plan:** Applications should include a brief plan to comply with data archiving requirements. The plan should be one or two pages in length and include a description of the proposed data management and archiving process including confidentiality protections and level of effort associated with meeting archiving requirements. Associated tasks should be reflected in the proposed project budget and budget narrative sections of the application.

In most instances, NIJ requires that data resulting from funded research be submitted as grant products or deliverables for archiving with the National Archive of Criminal Justice Data (NACJD) ([www.icpsr.umich.edu/icpsrweb/NACJD/archive.jsp](http://www.icpsr.umich.edu/icpsrweb/NACJD/archive.jsp)). The purpose of the Data Archiving Plan is to demonstrate recognition by applicants that data sets resulting from the proposed research are required to be submitted as grant products for archiving according to special grant conditions. Along with other grant products, special conditions require that all research data be submitted 90 days before the end of the project period. Some amount of grant award funds is typically withheld for submission of research data along with the final report and other products/deliverables.

The plan should be submitted as an appendix labeled, "Data Archiving Plan." The number of pages used for the plan will not count against the narrative page limit. The plan should provide brief details about the proposed archiving process including submission of these files: qualitative and quantitative data, final technical reports, instrumentation and data collection forms, and the privacy certificate and informed consent protocols including protections for confidentiality (where applicable). The focus of the Data Archiving Plan is to describe how the grant data products will be prepared and documented so as to allow reproduction of the project's findings as well as future research that can extend the scientific value of the original project (See: [www.icpsr.umich.edu/files/ICPSR/access/dataprep.pdf](http://www.icpsr.umich.edu/files/ICPSR/access/dataprep.pdf)).

Specifically, the Data Archiving Plan includes:

- Information regarding data formats (quantitative/qualitative/spatial) and software with which data will be collected, entered into a database, stored, analyzed and transferred. Standard commercial software or software typically acceptable to NACJD should be identified for use in the proposed data collection ([www.icpsr.umich.edu/icpsrweb/NACJD/archiving/deposit-nij-data.jsp](http://www.icpsr.umich.edu/icpsrweb/NACJD/archiving/deposit-nij-data.jsp)).
- A description of procedures by which the applicant plans to collect data along with anticipated units of analysis (e.g., individuals, locations), level of analysis and other identifiers for each data file that will be submitted upon completion of the funded research.
- If the proposed research includes collection of information identifiable to private persons:
  - A description of all assurances of confidentiality made to those persons
  - A copy of the consent form that was utilized.
  - A copy of the Privacy Certificate (as submitted to and approved by the funding agency).
  - IRB approval documentation.
  - Any information transfer agreement that was utilized to transfer the data with identifiers.

- Any anticipated variable creation, data transformations or scale construction that may be critical to the interpretation or analysis of the data by others.
- A plan for submission of computer programming code or software syntax providing detail on how the data will be processed including any significant treatments of the data such as de-identification, imputation, filtering or weighting.
- A description of the technical documentation (e.g., data dictionary or codebook) that explains how variables will be designated in the data file(s), such as the use of variable naming conventions and variable groups, missing data/value designations, variable and category/value labels, operational definitions and citations as needed for these variables.
- Contact information for the Principal Investigator in the event other researchers should need more information about the study or the data.

### 3. Budget Detail Worksheet and Budget Narrative

#### a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at [www.ojp.gov/funding/forms/budget\\_detail.pdf](http://www.ojp.gov/funding/forms/budget_detail.pdf). If the budget is submitted in a different format, the budget categories listed in the sample budget worksheet should be included.

For questions pertaining to budget and examples of allowable and unallowable costs, see the OJP Financial Guide at [www.ojp.usdoj.gov/financialguide/index.htm](http://www.ojp.usdoj.gov/financialguide/index.htm).

#### b. Budget Narrative

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. Proposed budgets are expected to be complete; reasonable and allowable; cost effective; and necessary for project activities. The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how all costs were estimated and calculated and how they are relevant to the completion of the proposed project. The narrative may include tables for clarification purposes but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should be broken down by year.

**Co-funding:** A grant made by NIJ under this solicitation may account for up to 100 percent of the total cost of the project. The application should indicate whether it is feasible for the applicant to contribute cash, facilities, or services as non-Federal support for the project. The application should identify generally any such contributions that the applicant expects to make and the proposed budget should indicate in detail which items, if any, will be supported with non-Federal contributions.

If a successful application proposes a voluntary match amount, the match amount incorporated into the OJP-approved budget becomes mandatory and subject to audit.

4. **Indirect Cost Rate Agreement** (if applicable)  
Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. (This requirement does not apply to units of local government.) A copy of the rate approval should be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization or, if the applicant's accounting system permits, costs may be allocated in the direct cost categories. If DOJ is the cognizant Federal agency, obtain information needed to submit an indirect cost rate proposal at [www.ojp.usdoj.gov/funding/pdfs/indirect\\_costs.pdf](http://www.ojp.usdoj.gov/funding/pdfs/indirect_costs.pdf).
5. **Tribal Authorizing Resolution** (if applicable)  
If an application is being submitted by either (1) a tribe or tribal organization or (2) a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its membership should be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application should include a resolution (or comparable legal documentation, as may be applicable) from all tribes that will be included as a part of the services/assistance provided under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without authorizing resolution or other enactment of each tribal governing body) may submit a copy of its consortium bylaws with the application in lieu of tribal resolutions (or comparable legal documentation).
7. **Other Standard Forms**  
Additional forms that may be required in connection with an award are available on OJP's funding page at [www.ojp.usdoj.gov/funding/forms.htm](http://www.ojp.usdoj.gov/funding/forms.htm). For successful applicants, receipt of funds may be contingent upon submission of all necessary forms. Note in particular the following forms.
  - a. [Standard Assurances](#)  
Applicants must read, certify, and submit this form in GMS prior to the receipt of any award funds.
  - b. [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)  
Applicants must read, certify, and submit in GMS prior to the receipt of any award funds.
  - c. [Accounting System and Financial Capability Questionnaire](#)  
(required for any applicant other than an individual that is a non-governmental entity and that has not received any award from OJP within the past 3 years; this form must be downloaded, completed, and submitted).

## **Selection Criteria**

### **Statement of the Problem** (Understanding of the problem and its importance)—15%

1. Clarity of problem statement.
2. Identification of gaps in existing research.
3. Connection between proposed research and problem.

### **Project/Program Design and Implementation** (Quality and technical merit)—30%

1. Awareness of the state of current research.
2. Soundness of methods and analytic and technical approach.
3. Feasibility of proposed project and awareness of pitfalls.
4. Innovation and creativity (when appropriate).

### **Capabilities/Competencies** (Capabilities, demonstrated productivity, and experience of applicants)—20%

1. Qualifications and experience of proposed staff.
2. Demonstrated ability of proposed staff and organization to manage the effort.
3. Adequacy of the plan to manage the project, including how various tasks are subdivided and resources are used.
4. Successful past performance on NIJ grants and contracts (when applicable).

### **Budget**—15%

1. Total cost of the project relative to the perceived benefit (cost-effectiveness).
2. Appropriateness of the budget relative to the level of effort.
3. Use of existing resources to conserve costs.

### **Impact/Outcomes and Evaluation** (Relevance to policy and practice)—15%

1. Potential for significant advances in scientific or technical understanding of the problem.
2. Potential for significant advances in the field.
3. Relevance for improving the policy and practice of criminal justice and related agencies in the United States and improving public safety, security, and quality of life.
4. Affordability and cost-effectiveness of proposed products, when applicable (e.g., purchase price and maintenance costs for a new technology or cost of training to use the technology).

#### **Relevance of the project for policy and practice in the United States**

Higher quality applications clearly explain the practical implications of the project. They connect technical expertise with criminal justice policy and practice. To ensure that the project has strong relevance for policy and practice, some researchers and technologists collaborate with practitioners and policymakers. The application may include letters showing support from practitioners, but they carry less weight than clear evidence of the applicant's understanding of how policymakers and practitioners can best use and benefit from the proposed work. While a partnership may affect state or local activities, it should also have broader implications for other communities nationwide.

### **Dissemination Strategy**—5%

1. Well-defined plan for the grant recipient to disseminate results to appropriate audiences, including researchers, practitioners, and policymakers.

2. Suggestions for print and electronic products that NIJ should consider developing for practitioners and policymakers.
3. If applicable, a clear strategy leading to the adoption into practice of any equipment or software.

### **Research Independence and Integrity**

Regardless of a proposal's rating under the criteria outlined above, in order to receive funds, the applicant's proposal must demonstrate research independence, including appropriate safeguards to ensure research objectivity and integrity.

For purposes of this solicitation, research independence and integrity pertains only to ensuring that the design, conduct, or reporting of research funded by NIJ grants, cooperative agreements, or contracts will not be biased by any financial interest on the part of the investigators responsible for the research or on the part of the applicant.

In the appendix dealing with research independence and integrity, the applicant must explain the process and procedures that the applicant has put in place to identify and manage potential financial conflicts of interest on the part of its staff, consultants, and/or sub-recipients. It must also identify any potential organizational financial conflicts of interest on the part of the applicant with regard to the proposed research. If the applicant believes that there are no potential organizational financial conflicts of interest, the applicant must provide a brief narrative explanation of why it believes that to be the case.

Where potential organizational financial conflicts of interest exist, in the appendix the applicant must identify the safeguards the applicant has put in place to address those conflicts of interest.

Considerations in evaluating research independence and integrity will include, but may not be limited to, the adequacy of the applicant's efforts to identify factors that could affect the objectivity/integrity of the proposed staff and/or the organization in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

### **Review Process**

OJP is committed to ensuring a fair and open process for awarding grants. NIJ reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. NIJ may use either internal peer reviewers, external peer reviewers, or a combination, to review the applications under this solicitation. An external peer reviewer is an expert in the subject matter of a given solicitation who is NOT a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. Applications that meet basic minimum requirements will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with NIJ, conducts a financial review of applications for potential discretionary awards to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the Budget Detail Worksheet and Budget Narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

All final award decisions will be made by the Director of the National Institute of Justice, who also may give consideration to factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

## **Additional Requirements**

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. OJP strongly encourages applicants to review the information pertaining to these additional requirements prior to submitting an application. Additional information for each requirement can be found at [www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm).

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and the Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with [Office of Justice Programs Financial Guide](#)
- Suspension or Termination of Funding
- Nonprofit Organizations
- For-profit Organizations

- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in Excess of \$5,000,000 – Federal Taxes Certification Requirement
- Active CCR Registration

If a proposal is funded, the award recipient will be required to submit several reports and other materials, including:

**Final substantive report:** The final report should be a comprehensive overview of the project and should include a detailed description of the project design, data, and methods; a full presentation of scientific findings, placed in the context of existing literature; a thorough discussion of the implications of the project findings for criminal justice practice and policy in the United States; etc. It must contain an abstract of no more than 600 words and an executive summary of 2,500 to 4,000 words.

A draft of the final report, abstract, and executive summary must be submitted 90 days before the end date of the grant. The draft final report will be peer reviewed upon submission. The reviews will be forwarded to the principal investigator with suggestions for revisions. The author must then submit the revised final report, abstract, and executive summary by the end date of the grant. The abstract, executive summary, and final report must be submitted in electronic format.

**Interim reports:** Grantees must submit quarterly financial reports, semi-annual progress reports, a final progress report, and, if applicable, an annual audit report in accordance with Office of Management and Budget Circular A-133. Future awards and fund drawdowns may be withheld if reports are delinquent.

**Data sets:** NIJ requires submission of all data sets (original, intermediate, and final) produced or collected for the funded project, and any artifact associated with the project data. Included with the final sets of data should be the plan outlined in the Data Archiving Plan section of the proposal.

## **Provide Feedback to OJP on This Solicitation**

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, the application submission process, and/or the application review/peer review process. Feedback can be provided to [OJPSolicitationFeedback@usdoj.gov](mailto:OJPSolicitationFeedback@usdoj.gov).

# Application Checklist

## Social Science Research on Indigent Defense

This application checklist has been created to assist in developing an application.

### What an Application Should Include:

- Application for Federal Assistance (SF-424) (see page 15)
- Program Narrative/Abstract Format (see page 15)
  - Double-spaced
  - 12-point standard font
  - 1" standard margins
  - Pages are numbered
  - Narrative is 30 pages or less
- Appendices to the Program Narrative (see page 16)
  - Bibliography/references
  - Any tools/instruments, questionnaires, tables/charts/graphs, or maps pertaining to the proposed study
  - Curriculum vitae, resumes or biographical sketches of key personnel
  - Project timeline and research calendar with expected milestones
  - Research independence and integrity
  - Human Subjects Protection Paperwork
  - Privacy Certificate
  - List of previous and current NIJ awards to applicant organization and investigators
  - Letters of cooperation/support or administrative agreements from organizations collaborating in the project (if applicable)
  - List of other agencies, organizations, or funding sources to which this proposal has been submitted (if applicable)
  - Data Archiving Plan
- Budget Detail Worksheet (see page 18)
- Budget Narrative (see page 18)
- Disclosure of Lobbying Activities (SF-LLL) (see page 13)
- Indirect Cost Rate Agreement (if applicable) (see page 19)
- Tribal Authorizing Resolution (if applicable) (see page 19)
- Other Standard Forms as applicable (see page 19), including:
  - Accounting System and Financial Capability Questionnaire (if applicable)