



KAREN BASS
MAYOR

October 17, 2024

Honorable Members of the City Council
C/o City Clerk
Room 395, City Hall

Re: Notification of Application and Request for Authority to Accept Grant Award for
FY 2022 Edward Byrne Memorial Justice Assistance Grant Program

Dear Honorable Members:

Pursuant to Section 14.6 of the Los Angeles Administrative Code, the Mayor's Office of Public Safety is notifying the City Council of the submission of a formula grant application for the FY 2022 Justice Assistance Grant Program (FY22 JAG). The Department of Justice (DOJ), Office of Justice Programs (OJP) Bureau of Justice Assistance (BJA) issued an RFP for the FY 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program on June 22, 2022. An application on behalf of the City of Los Angeles was submitted on July 05, 2022 (Attachment 1). On September 26, 2022, the City of Los Angeles received a notice of a \$2,693,286 award (Attachment 2).

Transmitted herewith for consideration by the City Council is a request to accept \$2,693,286 in grant funds and approve a joint spending plan with the County of Los Angeles for the FY22 JAG Program. There is no match requirement associated with this grant.

The JAG is a formula grant that provides states and units of local governments with critical funding necessary to support a range of program areas including law enforcement, prosecution and court programs, prevention and education programs, corrections and community corrections, drug treatment and enforcement, crime victim and witness initiatives, and planning, evaluation, and technology improvement programs.

JAG awards are disbursed by the grantor in the first fiscal year of the appropriation and may be expended over the following three years for a total of four years. The grant period

is October 1, 2021, to September 30, 2025, which coincides with the Federal government's fiscal year.

Formula allocations are awarded by the DOJ to local jurisdictions based on Part 1 violent crime statistics and population. The FY22 JAG provides the City and County of Los Angeles a direct allocation determined by 1) population and 2) Part 1 violent crime statistics, and requires approval of a joint spending plan. From the total FY22 JAG allocation of \$2,693,286, the proposed City/County joint spending plan allocates \$1,481,307 to the City and \$1,211,979 to the County of Los Angeles.

Community Law Enforcement and Recovery

Of the City's portion of the allocation, \$963,267 is being directed to the Community Law Enforcement and Recovery (CLEAR). This strategy includes suppression and prevention components. The CLEAR program represents the suppression component of the City's Gang Reduction Strategy and is focused on facilitating the recovery of communities impacted by gang violence. This is accomplished by decreasing the criminal activity of targeted gangs in designated communities through an effective collaboration with the Mayor's Office of Gang Reduction Youth Development (GRYD) and City and County criminal justice agencies. The CLEAR Team includes the Los Angeles Police Department (LAPD), the County of Los Angeles Probation Department, the Los Angeles City Attorney, the County of Los Angeles District Attorney, and the Los Angeles Mayor's Office.

The FY22 JAG will partially support the CLEAR program during FY 2022-23 in a total of nine CLEAR program sites: Northeast, Newton, Southeast, Foothill, Southwest, Hollenbeck/Boyle Heights, Hollenbeck/Ramona Gardens, Rampart, and 77th. The FY22 JAG will provide a total of \$963,267 for the following personnel support: nine (9) Deputy City Attorneys, nine (9) Deputy District Attorneys, and nine (9) Deputy Probation Officers. We are requesting authority to execute a Professional Services Agreement (PSA) with the County of Los Angeles to pay for Deputy District Attorney and Deputy Probation Officer positions. The City Attorney, Probation, and District Attorney's Offices are all committed to the CLEAR program at the current funding levels.

The chart below details the funding for CLEAR in FY 2022-2023:

Position	FY22 JAG
9 Deputy City Attorneys	\$328,282.00
9 Deputy District Attorneys	\$378,359.00
9 Deputy Probation Officers	\$256,626.00
TOTAL PERSONNEL FUNDING FOR CLEAR	\$963,267.00

Furthermore, the LAPD component of CLEAR places Detectives, Sergeants, and Police Officers in CLEAR sites, there are a total of 10 LAPD personnel assigned per CLEAR site (1 Detective, 1 Sergeant, and 8 Police Officers). LAPD salaries for CLEAR in FY 2022-2023 will be funded through LAPD's existing budget.

Expanding Support for DV Victims and Vulnerable Populations: Enhancing Salaries & Training

The funds will bolster existing Domestic Violence (DV) services in collaboration with the Mayor's Office. Among these initiatives the City's Domestic Abuse Response Team (DART), which presently operates across 21 LAPD divisions. Through a collaborative approach that pairs victim advocates from nonprofit organizations with LAPD DART Officers, this program delivers immediate crisis intervention at the scene of domestic violence incidents. Additionally, the Sexual Assault Response Team (SART), a joint endeavor involving the Mayor's Office, law enforcement agencies, and participating hospitals, will focus on responding to cases of sexual assault (SA). Furthermore, the Family Justice Center (FJC) serves as a comprehensive resource hub for victims, particularly those facing severe cases involving traumatic injuries. The Central FJC is strategically located in CLEAR Sites: Central, Hollenbeck, Newton, Northeast, and Rampart.

In Fiscal Year 2022, JAG funding will support the salary of the Director of Domestic Violence who oversees functions at the FJC, and tasked with shaping city policies related to DV sexual assault, human trafficking, and related issues. The Director will collaborate closely with city departments and community stakeholders to improve the accessibility, safety, cultural sensitivity, and effectiveness of victim services, with a total allocation of \$233,738 designated for this purpose, covering both salary (\$166,184) and fringe benefits (\$67,554). Additionally, training funds of \$12,974 will enhance awareness and proficiency among professionals assisting DV and SA victims. This initiative encompasses law enforcement personnel, prosecutors, and victim services providers, aiming to address various objectives such as identifying traumatic brain injuries, investigating strangulation, enhancing offender accountability, and updating protocols for victim safety and protection. The ultimate goal is to systematically enhance program effectiveness and victim services by ensuring continuous and current training for relevant stakeholders.

Management and Administration

Pursuant to DOJ grant guidelines, up to 10 percent of the total award, or \$271,328, can be used to support management and administration (M&A) costs by the Mayor's Office. Of this amount, \$190,066 will be allocated to staff salaries, \$77,264 towards fringe benefits, and \$3,998 towards office and administrative expenses. M&A costs include applying for the grant, monitoring expenditures, generating quarterly reports, conducting audits of City and County projects and expenditures, and managing disbursement and reimbursement of grant funds.

Below is a summary of the City budget for the FY22 JAG:

Program	Cost Category	JAG 22	Total
CLEAR	9 Deputy City Attorney IIIs	\$ 328,282.00	\$ 328,282.00
	9 Deputy District Attorney IIIs	\$ 378,359.00	\$ 634,985.00
	9 Deputy Probation Officers	\$ 256,626.00	
Personnel Salaries	DV / Family Justice Center (FJC) Director	\$ 166,184.00	\$ 356,250.00
	Mayor Salaries M&A	\$ 190,066.00	
Personnel Fringe	DV / FJC Director Fringe	\$ 67,554.00	\$ 144,818.00
	M&A Fringe	\$ 77,264.00	
Training	DV Training	\$ 12,974.00	\$ 12,974.00
Office & Administration	Mayor's Office Supplies	\$ 3,998.00	\$ 3,998.00
Total City Allocation		\$ 1,481,307.00	\$ 1,481,307.00

Reserve Fund Loan

The Mayor's Office of Public Safety requests a Reserve Fund loan advance in the amount of \$200,000 to front-fund domestic violence program-related activities associated with the FY22 JAG Program. Due to the immediate nature and urgency of domestic violence programs and response, this advance will ensure that program implementation does not delay victim assistance resources and community impact. The Mayor's Office has successfully repaid prior Reserve Fund advances for past Mayor's Office Reserve Fund Loans and shall submit requests for reimbursement on a rolling basis to facilitate timely repayment of the JAG22 Reserve Fund advance.

County Allocation

The County of Los Angeles will utilize its FY22 JAG allocation to support their Crime Reduction and Public Safety Improvement Initiative, or strategies to positively impact the behavior of probationers and at-risk youth through early intervention, prevention and suppression. FY22 JAG will support the following agencies and programs: Los Angeles County Sheriff's Department, District Attorney Strategies Against Gang Environments (SAGE), Public Defender Alternative Sentencing Program and Paralegal Services, Public Defender Alternative Sentencing Program/Psychiatric Social Worker Services, Department of Public Health Trauma Prevention Initiative, Programs for At-Risk Youth, Probation Department, and AB109 Re-Entry Housing Project. As the administrative agent, the Mayor's Office is responsible for monitoring the County programs and expenditures, and reports on their activities to the DOJ.

Recommendations

IT IS THEREFORE requested that the City Council:

1. **AUTHORIZE** the Mayor, or designee, to accept the FY 2022 Edward Byrne Memorial Justice Assistance Grant in the amount of \$2,693,286 for the period effective from October 1, 2021 through September 30, 2025;
2. **AUTHORIZE** the Mayor, or designee, to negotiate and execute the Grant Award Agreement on behalf of the City and submit any other necessary agreements and documents relative to the grant award, subject to the approval of the City Attorney as to form;
3. **APPROVE** the FY 2022 Edward Byrne Memorial Justice Assistance Grant budget and authorize the Mayor's Office of Public Safety to expend the grant in accordance with the approved budget;
4. **APPROVE** a Memorandum of Understanding (Attachment 3) between the City of Los Angeles and the County of Los Angeles for the FY 2022 Edward Byrne Memorial Justice Assistance Grant for the period of October 1, 2021, through September 30, 2025, for a total not to exceed \$2,693,286 and authorize the Mayor, or designee, to execute the Memorandum of Understanding, subject to the approval of the City Attorney as to form;
5. **AUTHORIZE** the Mayor, or designee, to execute a Subrecipient Agreement between the City of Los Angeles and the County of Los Angeles for the FY 2022 Edward Byrne Memorial Justice Assistance Grant for up to 45 months, for a total not to exceed \$1,211,979, subject to the approval of the City Attorney as to form;
6. **AUTHORIZE** the Mayor, or designee, to execute a contract between the City of Los Angeles and the County of Los Angeles for the CLEAR Program for up to 12

months, for a total not to exceed \$634,985, subject to the approval of the City Attorney as to form and upon submission of invoices and approval by the Mayor, or designee, of such invoices for JAG-related expenditures:

Account	Title	Amount
46A319	District Attorney	\$ 378,359.00
46A319	Probation Department	<u>\$ 256,626.00</u>
	TOTAL	\$ 634,985.00

7. AUTHORIZE the Controller to:

- a. **CREATE** a new interest-bearing Fund, titled FY22 Justice Assistance Grant Fund, establish a receivable in this new Fund in the amount of \$2,693,286, expend funds upon presentation of proper documentation from the Mayor's office, and create new **Appropriation Accounts** within the new Fund XXX, Department 46 as follows:
- b. **EXPEND** funds upon presentation of proper demands from the Office of the Mayor.

Appropriation Number	Account Name	Amount
46A319	CLEAR Contractual Services	\$634,985.00
46A912	City Attorney Grant Allocation	\$328,282.00
46A146	Mayor	\$356,250.00
46A299	Related Costs	\$144,818.00
46A309	Mayor's Office & Administrative	\$3,998.00
46A213	Travel	\$12,974.00
46A668	Partner Jurisdiction	\$1,211,979.00
	TOTAL	\$2,693,286.00

8. **AUTHORIZE** the Controller to transfer up to \$356,250 from FY22 JAG Fund XXX, Account No. 46A146 to the Mayor's General Fund No. 100, Department 46, Account No. 001020 for reimbursement of grant-funded personnel salaries;
9. **AUTHORIZE** the Controller to transfer up to \$144,818 from FY22 JAG Fund XXX/46, Account No. 46A299 to the Mayor's General Fund No. 100, Department 46, Revenue Source No. 5346 for reimbursement of grant-funded fringe benefits;
10. **AUTHORIZE** a Reserve Fund Loan in the amount of \$200,000 to support domestic violence program-related activities under the FY22 JAG Grant Program, which is to be repaid by the Office of the Mayor at the end of the fiscal year;
11. **AUTHORIZE** the Controller to transfer \$200,000 from the Reserve Fund to the Unappropriated Balance Fund No, XX/Dept XX and transfer therefrom to the FY22 JAG Grant Fund XXX, Account No. XXXX, Department 46; and
12. **AUTHORIZE** the Mayor, or designee, to prepare the Controller's instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and authorize the Controller to implement the instructions.

Sincerely,



KAREN BASS
Mayor

For further details on these requests, please refer to the below:

Attachments

- 1 Grant Application Narrative
- 2 Award Letter

Program Narrative

The City of Los Angeles will utilize its Justice Assistance Grant Funding to support the Community Law Enforcement and Recovery (CLEAR) Program and improve the criminal response to domestic and family violence, through its Domestic Violence (DV) programs expanding the City's Central Bureau Family Justice Center (FJC) victim services. The City of Los Angeles will dedicate 100% of its FY 2022 Justice Assistance Grant allocation to support the CLEAR program, and Domestic Violence program within the CLEAR sites.

Community Law Enforcement and Recovery (CLEAR) Program**(Project Design and Implementation)**

The Community Law Enforcement and Recovery (CLEAR) Program began in 1997 as an innovative City of Los Angeles/ Los Angeles County partnership to combat gang violence in Los Angeles. The primary purpose of CLEAR is to facilitate the recovery of gang-infested communities. This is accomplished by decreasing gang crime in targeted communities through an effective, cross-agency collaboration with the City and County criminal justice agencies. The CLEAR team includes the Los Angeles Police Department (LAPD), Los Angeles County Probation Department, Los Angeles City Attorney, Los Angeles County District Attorney, and the California Department of Corrections.

CLEAR has had a verifiable impact in decreasing gang crime and in maintaining lower levels of gang crime. In 2015, the City of Los Angeles, along with many other cities nationally, began experiencing an increase in crime. In 2016 extensive measures were taken on behalf of LAPD to deter crime activities. In 2017, crime decreased citywide, and by August 2018, there had been an overall decrease in Violent Crime by 2.2% in the City of Los Angeles. **Gang-**

[1] Los Angeles County Bar Association internal statistics at Central FJC.

Related Violent Crime within the CLEAR sites shows a decrease of 7.1% over a 12-month period from 2021-2022 compared to City wide crime. Although we have seen an unprecedented spike in citywide crime to date (2022) the CLEAR sites have seen an overall decrease in All Gang-Related crimes by 19.9%. The historical crime decrease despite unprecedented spike shows the continued success of CLEAR model.

Community members have also been meaningfully engaged in the process of community recovery. These members, along with government agencies (both within and outside the criminal justice system), have created innovative mechanisms to collaborate amongst themselves and with these communities. Furthermore, monthly activity reports are created to assist each site within monitoring and revising plans and strategies.

CLEAR Partners

The key to CLEAR's success has been the immediate availability of police officers, District Attorneys, City Attorneys, Probation and Parole Officers in the defined primary and secondary target areas. The role of each team member is outlined below:

- The Los Angeles Police Department deploys officers who are designated to respond to gang-related criminal activity within their respective CLEAR target area, and coordinates law enforcement efforts to suppress gang crime.
- The California Department of Corrections monitors and closely supervises all parolees during their re-entry into society to avert them from engaging in criminal activity upon their release.
- **The Los Angeles County Probation Department** works with the City Attorney to ensure that gang members receive appropriate conditions of probation that prohibit

[1] Los Angeles County Bar Association internal statistics at Central FJC.

association with other gang members, through curfews and restrictions on returning to designated areas.

- **The Los Angeles County District Attorney's Office and City Attorney's Office** vertically prosecutes the most difficult cases generated by CLEAR unit arrests using novel and innovative prosecutions strategies that may include granting cross-designation status to city prosecutors, so that cases can be effectively pursued in superior court. They also track all arrests made by the CLEAR unit and prepare reports on the progress of the prosecution efforts. Both the District and City Attorney's Offices monitor the case progression from the point of arrest, through the final court disposition of each case, including the length of imprisonment or the terms of probation ordered. Finally, they prepare and prosecute civil injunctions against gang member activities within the CLEAR sites.

CLEAR team members also collaborates with residents within each CLEAR site through the creation of a Community Impact Team (CIT). The CIT's focus is specifically on quality of life issues such as graffiti, litter and juvenile loitering. The CIT also facilitates a linkage between CLEAR's Suppression efforts and other gang prevention and intervention programs. Community members on the CITs identify effective community organizations in their area and facilitate a relationship between those organizations and law enforcement agencies which partners to secure support from individuals and businesses within the community.

[1] Los Angeles County Bar Association internal statistics at Central FJC.

Selection of CLEAR Sites

Areas with high rates of gang-related crime are generally selected as CLEAR sites. Within each site, there is a primary target area and a secondary target area, which are identified by LAPD Reporting Districts, and which track all LAPD crime data. Primary target areas are comprised of those reporting districts with the most gang activity in the CLEAR site area. Secondary target areas are comprised of those reporting districts with a high level of gang activity, but a lower levels than in the primary target areas. Program resources are deployed first to the primary target areas and then to secondary target areas, this approach ensures that resources are efficiently deployed to areas with the most gang-related crime.

Goals, Objectives and Performance Measures

The goal of the CLEAR program is to reduce the propagation of gangs, gang membership, and gang-related criminal activity. An evaluation of the effectiveness of the CLEAR program is prepared and submitted to the CLEAR Executive Board on an annual basis. The evaluation includes a description of the extent to which the project has accomplished the following:

- A. A Decrease in gang crime in each CLEAR site;
- B. A decrease in violent gang crime in each CLEAR site; and
- C. The prosecution of those arrested for gang-related crimes in the CLEAR sites.

In addition, the CLEAR program will utilize the following performance measures consistent with Bureau of Justice Assistance Grant Program:

- A. Percent change in number of individuals arrested in a targeted group by crime type;
- B. Expected change in arrests;

[1] Los Angeles County Bar Association internal statistics at Central FJC.

- C. Percent change in reported crime rates in a community by crime type; and
- D. Expected change in crime rates

The evaluation reporting will provide ongoing monthly, quarterly, and annual reports that contain comparative data analysis on crime reduction in the CLEAR sites. Details of the evaluation process include:

- Site Activity Statistics: On a monthly basis, collect data reflecting site activities. Provide law enforcement with access to an electronic web-based system to input collected data. Include numbers of arrests, prosecutions, and other related activities.
- On a quarterly basis, obtain and analyze gang crime data for all CLEAR sites using a statistical model approved by the CLEAR Executive Board. Compare site gang crime statistics to division-wide gang crime statistics.
- Create and distribute four semi-annual reports to be presented to the Board that will include the following content in one or more of the four reports:
 - An implementation study that details how the program was implemented across all sites during the contract period, citing any challenges and successes as well as making recommendations for the future;
 - Document all pertinent changes that occurred during the contract period, including but not limited to reporting districts, staff turnover, analysis of which sites have the greatest change in gang-related crime, etc.;
 - A comprehensive overview that details CLEAR operations and outcomes in a historical, cross-site context; and
 - An analysis of CLEAR's impact on each community including feedback from community members.

Project Implementation

Funding from the JAG 22 award will be utilized for the salaries for nine (9) City Attorneys, District Attorneys, and Probation Officers at each of the following CLEAR sites:

CLEAR Site	City Attorney	District Attorney	Probation Officer
Northeast	X	X	X
Newton	X	X	X
Southeast	X	X	X
Foothill	X	X	X
Southwest	X	X	X
Boyle Heights	X	X	X
Ramona Gardens	X	X	X
Rampart	X	X	X
77th	X	X	X

Funding will ensure that program activities are not interrupted and that all staff can continue to dedicate their time to their roles within the CLEAR team. Funding will cover CLEAR staffing and grant administration for the entirety of the grant term, through **September 30, 2024**. As the fiscal agent for this grant, the Los Angeles Mayor's Office of Public Safety

[1] Los Angeles County Bar Association internal statistics at Central FJC.

will obtain all necessary internal approvals to expend the grant and enter into formal agreements with the partner agencies. The operational teams in the CLEAR sites will continue to implement the specific CLEAR strategy for the identified area and continue coordination of services with the office of Gang Reduction and Youth Development (GRYD), along with identifying and tracking trends in DV, DV/ gang nexus and DV programs located in CLEAR sites. The CLEAR Executive Committee will continue to oversee and monitor CLEAR activities in the target areas. CLEAR activities will be evaluated and based upon the initial findings strategies in all sites, will be modified and expanded.

Central Family Justice Center

(Project Design and Implementation)

Program services to better meet FJC best practices as defined by the family justice center national model. There are currently two existing FJC locations; 1) Strength United, a nonprofit led FJC located in LAPD's Valley Bureau; and 2) our first City-led location, the Central FJC, located in the Central Bureau. In 2018, the Mayor's Office collaborated with LAPD, LA County + USC Health Sciences Campus (a medical hospital) to establish an FJC partnership in the Central Bureau via the Violence Intervention Program (VIP) on the USC Health Sciences Campus. The FJC model is considered a best practice, multidisciplinary evidence-based approach as defined by the family justice center national model in effectively managing DV incidents by facilitating thorough investigations from a victim-centered approach. The Central FJC is a one-stop resource center for victims of the most aggravated DV and SA events involving traumatic injuries, grave bodily harm, or deemed highly lethal, referred to Central FJC by the LAPD Divisions within the Central Bureau: Central division, and include CLEAR sites: Hollenbeck, Newton, Northeast and Rampart.

[1] Los Angeles County Bar Association internal statistics at Central FJC.

The Central FJC utilizes much of the methodology and criteria set forth by the nationally recognized FJC Alliance model, developed by the Alliance for HOPE International in providing services for victims who have suffered DV, SA, exploitation, human trafficking, stalking, and elder/dependent adult abuse. This model has generated an increase in the filing rates of crimes committed. In 2021, the LAPD Central Bureau Division Received over 500 cases that were overseen by detectives and investigators at the FJC, assisting in over 485 cases and 230 DV^[1], holding more perpetrators accountable and protecting more victims. The existing Central FJC partners include LAPD; Los Angeles City Attorney; VIP; Peace Over Violence (POV, a DV & SA Service Provider); East LA Women's Center (ELAWC); Casa de la Familia (CDLF) a DV service/mental health provider; and the LA County Bar Association (LACBA).

In 2021 the Central FJC expanded its legal resources and partnered with the Legal Aid Foundation of Los Angeles (LAFLA) and City Attorney to co-pilot a Virtual Restraining Order Hearing Clinic, hosting its first remote court hearing in 2021. A DV advocate is available to assist victims and witnesses during the hearing. LAFLA will offer counsel, direct service representation, referral services and educating the community about their legal rights, supporting families' victims of DV.

Later, in 2021 the Central FJC entered an operational agreement with the Los Angeles Center for Law and Justice (LACLJ) to increase the availability of holistic civil and criminal legal assistance needed to effectively aid victims. LACLJ will provide legal services, including legal assessment, advice, document preparation, and representation on a range of matters related

[1] Los Angeles County Bar Association internal statistics at Central FJC.

to the abuse including restraining orders, family law matters, criminal justice advocacy, survivor-based and other legal needs arising from the victimization.

Goals, Objectives and Performance Measures

The City's high call volume of DV incidents was a driving factor behind the Mayor's Executive Order 12, which mandated all LAPD bureaus to establish an FJC in their community. The Central FJC co-locates the LAPD's most highly trained investigators and detectives. In 2020, the LAPD Central Bureau Division received over 500 DV cases that were overseen by Detectives and Investigators at the Central FJC, assisting in over 485 DV cases and 230 DV arrests while remaining understaffed. The multidisciplinary approach, along with a specialized caseload, allows LAPD for higher quality investigation and an increased felony filing rate.

The Central FJC provides a safe location where victims and children who have experienced violence can access help and hope through a system of trauma-informed, empowering and culturally responsive services designed to improve or secure their safety, support them in achieving their goals, increase mental, medical, and economic resiliency, and ultimately lower offender recidivism.

The Central FJC utilizes a shared leadership model. Executives from each partner agency attend monthly leadership meetings to discuss emerging concerns and provide input on major decisions. The direct service staff has a monthly meeting on developing trends and case conferencing. These ongoing meetings ensure the dissemination of information at all levels and allow for training on new processes.

[1] Los Angeles County Bar Association internal statistics at Central FJC.

Project Implementation

Although Coordinated Community Response (CCR) has been established and continues to be strengthened at the Central FJC over the years, it has been unable to meet its fullest potential due to funding needs. Expanded centralized management and oversight of DV, sexual assault, dating violence, or stalking services provided in the Central area FJC are needed. Continuing to provide a Director to develop a highly effective supporting infrastructure for multi-disciplinary collaboration ensures the provision of high quality, impactful service delivery for victims, law enforcement investigations, prosecution outcomes, and reduces re-victimization.

With JAG grant funding, the City proposes to continue strengthening the CCR, maximize victim utilization of co-located services, and expand oversight through the FJC Director. The FJC Director will assist in formulating policy for City primarily with respect to DV services and programs and will support programmatic and policy efforts related to DV, sexual assault, human trafficking, and related matters. The FJC Director will work with the Office of the Mayor, LAPD, Alliance for HOPE and other public, private, and nonprofit service providers, partners, and stakeholders to ensure services are more accessible, safe, culturally competent and effective for victims.

DV Training

The City of Los Angeles intends to utilize JAG FY 22 funds to enhance the knowledge and understanding of professionals working with victims of domestic violence and sexual assault in recognizing and prosecuting instances of domestic violence in gang involved incidents. These training will include law enforcement sworn personnel (including Officers, Major Assault crime

[1] Los Angeles County Bar Association internal statistics at Central FJC.

(MAC) Detectives, and patrol officers), prosecutors and victims services providers with guidance and approval from the JAG Program Specialist. The City of Los Angeles will host an annual City-wide training forums designed to help: identify and screening victims for potential traumatic brain injuries (TBI); recognize and investigate strangulation which has been identified as one of the most lethal forms of domestic violence and sexual assault; increase offender accountability; maximize expertise; and improve policy and practice among service providers. As well as updating training curriculum and protocols for topics such as: Victim Safety and Protection, Emergency Relocation and Sheltering; Identifying the Dominant Aggressor; Lethality Assessment; Weapon/Firearm Seizure; Protection and Restraining Order Enforcement; Impact of Law Enforcement Response; Interviewing and Investigation; Reporting and Building a Case for Prosecution; and Cyber stalking or Technology-Facilitated Abuse. The City's goal is to systematically improve program efficacy and victim services. For that reason, ongoing and up-to-date training and skill preservation of law enforcement, and other service providers is imperative in order to address recent trends to ensure keen perception of and investigative response.

Project Management

The Mayor's Office of Public Safety will manage the City of Los Angeles Justice Assistance Grant Award Program. The Mayor's Office has over a decade of experience in managing grant funds and a history of grant compliance. The Mayor's Office is also responsible for securing and administering both State and Federal public safety and criminal justice grants, all of which require programmatic and fiscal audits.

The City and County of Los Angeles are grouped as disparate jurisdictions for this grant. The City will act as the fiscal agent and submit all required reports and grant adjustments, as

[1] Los Angeles County Bar Association internal statistics at Central FJC.

needed. Additionally, the City will ensure that County expenditures are in compliance with grant guidelines. The City and County will plan to expend the funding based on a 50-50 split of the total allocation (after the deduction of 10% of the award by the City of Los Angeles for the administration of the grant, training requirements, equipment and supplies), amounting to \$1,211,775.75 each for the City and County respectively, and \$269,283.50 for administration.

[1] Los Angeles County Bar Association internal statistics at Central FJC.



Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Name and Address of Recipient:	LOS ANGELES, CITY OF 200 N SPRING ST RM 303		
City, State and Zip:	LOS ANGELES, CA 90012		
Recipient UEI:	EW7CR9MZZ9M5		
Project Title: Community Law Enforcement and Recovery (CLEAR) Program	Award Number: 15PBJA-22-GG-02107-JAGX		
Solicitation Title: BJA FY 22 Edward Byrne Memorial Justice Assistance Grant Program - Local Solicitation			
Federal Award Amount: \$2,693,286.00	Federal Award Date: 9/26/22		
Awarding Agency:	Office of Justice Programs Bureau of Justice Assistance		
Funding Instrument Type:	Grant		
Opportunity Category: O			
Assistance Listing: 16.738 - Edward Byrne Memorial Justice Assistance Grant Program			
Project Period Start Date: 10/1/21	Project Period End Date: 9/30/25		
Budget Period Start Date: 10/1/21	Budget Period End Date: 9/30/25		
Project Description: The Edward Byrne Memorial Justice Assistance Grant (JAG) Program allows units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice or civil proceedings, including for any one or more of the following program areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; 7) crime victim and witness programs (other than compensation); 8) mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams; and 9) implementation of state crisis intervention court proceedings and related programs or initiatives, including but not limited to: mental health courts; drug courts; veterans courts; and extreme risk protection order programs.			

Award Letter

September 26, 2022

Dear GABRIELA JASSO,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by LOS ANGELES, CITY OF for an award under the funding opportunity entitled 2022 BJA FY 22 Edward Byrne Memorial Justice Assistance Grant Program - Local Solicitation. The approved award amount is \$2,693,286.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance. For COPS Office and OVW funding the Award Offer also includes any Other Award Documents.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Prior to accepting the award, your Entity Administrator must assign a Financial Manager, Grant Award Administrator, and Authorized Representative(s) in the Justice Grants System (JustGrants). The Entity Administrator will need to ensure the assigned Authorized Representative(s) is current and has the legal authority to accept awards and bind the entity to the award terms and conditions. To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

To access your funds, you will need to enroll in the Automated Standard Application for Payments (ASAP) system, if you haven't already completed the enrollment process in ASAP. The Entity Administrator should have already received an email from ASAP to initiate this process.

Congratulations, and we look forward to working with you.

Maureen Henneberg
Deputy Assistant Attorney General
Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance to give assurances that they will comply with those laws. Taken together, these civil rights laws prohibit recipients of federal financial assistance from DOJ from discriminating in services and employment because of race, color, national origin, religion, disability, sex, and, for grants authorized under the Violence Against Women Act, sexual orientation and gender identity. Recipients are also prohibited from discriminating in services because of age. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>.

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria.

These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a nondiscriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5).

The OCR is available to help you and your organization meet the civil rights requirements that are associated with DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to contact the OCR at askOCR@ojp.usdoj.gov.

Memorandum Regarding NEPA

NEPA Letter Type

OJP - Ongoing NEPA Compliance Incorporated into Further Developmental Stages

NEPA Letter

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

- a. New construction;
- b. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see <https://www.bja.gov/Funding/nepa.html>.

NEPA Coordinator

First Name

Orbin

Middle Name

Last Name

Terry

Award Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Recipient Information

Recipient Name
LOS ANGELES, CITY OF

UEI
EW7CR9MZZ9M5

Street 1
200 N SPRING ST RM 303

Street 2

City
LOS ANGELES

State/U.S. Territory
California

Zip/Postal Code
90012

Country
United States

County/Parish

Province

Award Details

Federal Award Date
9/26/22

Award Type
Initial

Award Number
15PBJA-22-GG-02107-JAGX

Supplement Number
00

Federal Award Amount
\$2,693,286.00

Funding Instrument Type
Grant

Assistance Listing Number	Assistance Listings Program Title
16.738	Edward Byrne Memorial Justice Assistance Grant Program

Statutory Authority
Title I of Pub. L. No. 90-351 (generally codified at 34 U.S.C. 10101-10726), including subpart 1 of part E (codified at 34 U.S.C. 10151 - 10158); see also 28 U.S.C. 530C(a)

[X]
I have read and understand the information presented in this section of the Federal Award Instrument.

Project Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Solicitation Title
2022 BJA FY 22 Edward Byrne Memorial Justice

Application Number

GRANT13674836

Grant Manager Name

Erin Feeley

Phone Number

[202-598-6508](tel:202-598-6508)

E-mail Address

Erin.R.Feeley@usdoj.gov

Project Title

Community Law Enforcement and Recovery (CLEAR) Program

Performance Period Start

Date

10/01/2021

Performance Period End Date

09/30/2025

Budget Period Start Date

10/01/2021

Budget Period End Date

09/30/2025

Project Description

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program allows units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice or civil proceedings, including for any one or more of the following program areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; 7) crime victim and witness programs (other than compensation); 8) mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams; and 9) implementation of state crisis intervention court proceedings and related programs or initiatives, including but not limited to: mental health courts; drug courts; veterans courts; and extreme risk protection order programs.

[X]

I have read and understand the information presented in this section of the Federal Award Instrument.

Financial Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

[X]

I have read and understand the information presented in this section of the Federal Award Instrument.

Award Conditions

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

1

In accepting this award, the recipient agrees that grant funds cannot be used for Facial Recognition Technology (FRT) unless the recipient has policies and procedures in place to ensure that the FRT will be utilized in an appropriate and responsible manner that promotes public safety, and protects privacy, civil rights, and civil liberties and complies with all applicable provisions of the U.S. Constitution, including the Fourth Amendment's protection against unreasonable searches and seizures and the First Amendment's freedom of association and speech, as well as other laws and regulations. Recipients utilizing funds for FRT must make such policies and procedures available to DOJ upon request.

2

Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after October 1, 2021

The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (October 1, 2021), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum - (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via an Award Condition Modification (ACM)). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Except to the extent (if any) that an award condition expressly precludes reimbursement of project costs incurred "at-risk," if and when the recipient makes a valid acceptance of this award and OJP removes each applicable withholding condition through an Award Condition Modification (ACM), the recipient is authorized to obligate (federal) award funds to reimburse itself for project costs incurred "at-risk" earlier during the period of performance (such as project costs incurred prior to award acceptance or prior to removal of an applicable withholding condition), provided that those project costs otherwise are allowable costs under the award.

3

Recipients utilizing award funds for forensic genealogy testing must adhere to the United States Department of Justice Interim Policy Forensic Genealogical DNA Analysis and Searching (<https://www.justice.gov/olp/page/file/1204386/download>), and must collect and report the metrics identified in Section IX of that document to BJA.

4

Certification of body armor "mandatory wear" policies, and compliance with NIJ standards

If recipient uses funds under this award to purchase body armor, the recipient must submit a signed certification that each law enforcement agency receiving body armor purchased with funds from this award has a written "mandatory wear" policy in effect. The recipient must keep signed certifications on file for any subrecipients planning to utilize funds from this award for ballistic-resistant and stab-resistant body armor purchases. This policy must be in place for at least all uniformed officers before any funds from this award may be used by an agency for body armor. There are no requirements regarding the nature of the policy other than it be a mandatory wear policy for all uniformed officers while on duty.

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards, and is listed on the NIJ Compliant Body Armor Model List. In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information and the NIJ Compliant Body Armor List may be found by following the links located on the NIJ Body Armor page: <https://nij.ojp.gov/topics/equipment-and-technology/body-armor>

5

Extreme risk protection programs funded by JAG must include, at a minimum: pre-deprivation and post-deprivation due process rights that prevent any violation or infringement of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive or procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State

courts and United States courts (including the Supreme Court of the United States). Such programs must include, at the appropriate phase to prevent any violation of constitutional rights, at minimum, notice, the right to an in-person hearing, an unbiased adjudicator, the right to know opposing evidence, the right to present evidence, and the right to confront adverse witnesses; the right to be represented by counsel at no expense to the government; pre-deprivation and post-deprivation heightened evidentiary standards and proof which mean not less than the protections afforded to a similarly situated litigant in Federal court or promulgated by the State's evidentiary body, and sufficient to ensure the full protections of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive and procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). The heightened evidentiary standards and proof under such programs must, at all appropriate phases to prevent any violation of any constitutional right, at minimum, prevent reliance upon evidence that is unsworn or unaffirmed, irrelevant, based on inadmissible hearsay, unreliable, vague, speculative, and lacking a foundation; and penalties for abuse of the program.

6

Initial period of performance; requests for extension.

The recipient understands that for award amounts of less than \$25,000 under JAG (Category 1), the initial period of performance of the award is two years. The recipient further understands that any requests for an extension of the period of performance for an award of less than \$25,000 will be approved automatically for up to a total of two additional years, pursuant to 34 U.S.C. 10152(f) and in accordance with the program solicitation associated with this award.

Any request for an extension of the period of performance beyond a four-year award period will require approval, and the approval (if any) will be at the discretion of the Director of BJA.

7

Compliance with general appropriations-law restrictions on the use of federal funds (FY 2022)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2022, are set out at <https://www.ojp.gov/funding/Explore/FY22AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

8

Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2022 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2022 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2022 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at

any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.334.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

9

Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

10

OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://www.ojp.gov/funding/implement/training-guiding-principles-grantees-and-subgrantees>.

11

Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

12

Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other

legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

13

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

14

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

15

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

16

Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

17

Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

18

Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

19

Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

20

Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

21

Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

22

Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

23

Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

24

Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

25

Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

26

Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or

both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

27

Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

28

All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

29

Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal

Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

30

Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

31

Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

32

Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

33

Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

34

Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

35

FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$30,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$30,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

36

The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

37

Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit,

upon request, documentation of its policies and procedures for monitoring of subawards under this award.

38

Use of program income

Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

39

Justice Information Sharing

Information sharing projects funded under this award must comply with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: [https:// it.ojp.gov/ gsp_grantcondition](https://it.ojp.gov/gsp_grantcondition). The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

40

Avoidance of duplication of networks

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the recipient can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

41

Compliance with 28 C.F.R. Part 23

With respect to any information technology system funded or supported by funds under this award, the recipient (and any subrecipient at any tier) must comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 34 U.S.C. 10231(c)-(d). The recipient may not satisfy such a fine with federal funds.

42

Protection of human research subjects

The recipient (and any subrecipient at any tier) must comply with the requirements of 28 C.F.R. Part 46 and all OJP policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

43

Confidentiality of data

The recipient (and any subrecipient at any tier) must comply with all confidentiality requirements of 34 U.S.C. 10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient further agrees, as a condition of award approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23.

44

The award recipient agrees to participate in a data collection process measuring program outputs and outcomes. The data elements for this process will be outlined by the Office of Justice Programs.

45

The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

46

Law enforcement task forces - required training

Within 120 days of award acceptance, each current member of a law enforcement task force funded with award funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, must complete required online (internet-based) task force training. Additionally, all future task force members must complete this training once during the period of performance for this award, or once every four years if multiple OJP awards include this requirement.

The required training is available free of charge online through the BJA-funded Center for Task Force Integrity and Leadership (www.ctfli.org). The training addresses task force effectiveness, as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. If award funds are used to support a task force, the recipient must compile and maintain a task force personnel roster, along with course completion certificates.

Additional information regarding the training is available through BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).

47

Justification of consultant rate

Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the OJP program office prior to obligation or expenditure of such funds.

48

The recipient understands that, in accepting this award, the Authorized Representative declares and certifies, among other things, that he or she possesses the requisite legal authority to accept the award on behalf of the recipient entity and, in so doing, accepts (or adopts) all material requirements that relate to conduct throughout the period of performance under this award. The recipient further understands, and agrees, that it will not assign anyone to the role of Authorized Representative during the period of performance under the award without first ensuring that the individual has the requisite legal authority.

49

Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA.

The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are:

- a. New construction;

- b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bj.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

50

Establishment of trust fund

If award funds are being drawn down in advance, the recipient (or a subrecipient, with respect to a subaward) is required to establish a trust fund account. Recipients (and subrecipients) must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2 C.F.R. 200.305(b)(8)). The trust fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate the award funds in the trust fund (including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

51

All State and Local JAG recipients must submit quarterly Federal Financial Reports (SF-425). Additionally, State JAG and Local JAG Category Two (\$25K or more) must submit semi-annual performance reports through JustGrants and Local JAG Category One (Less than \$25K) must submit annual performance reports through JustGrants. Consistent with the Department's responsibilities under the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, the recipient must provide data that measure the results of its work. The recipient must submit quarterly performance metrics reports through BJA's Performance Measurement Tool (PMT) website (www.bjaperformancetools.org). For more detailed information on reporting and other JAG requirements, refer to the JAG reporting requirements webpage. Failure to submit required JAG reports by established deadlines may result in the freezing of grant funds and future High Risk designation.

52

Required data on law enforcement agency training

Any law enforcement agency receiving direct or sub-awarded funding from this JAG award must submit quarterly accountability metrics data related to training that officers have received on the use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.

53

Expenditures prohibited without waiver

No funds under this award may be expended on the purchase of items prohibited by the JAG program statute, unless, as set forth at 34 U.S.C. 10152, the BJA Director certifies that extraordinary and exigent circumstances exist, making such expenditures essential to the maintenance of public safety and good order.

54

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS. Booking agencies should work with their state CODIS agency to ensure all requirements are met for participation in Rapid DNA (see National Rapid DNA Booking Operational Procedures Manual).

55

Submission of eligible records relevant to the National Instant Background Check System

Consonant with federal statutes that pertain to firearms and background checks -- including 18 U.S.C. 922 and 34 U.S.C. ch. 409 -- if the recipient (or any subrecipient at any tier) uses this award to fund (in whole or in part) a specific project or program (such as a law enforcement, prosecution, or court program) that results in any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the National Instant Background Check System (NICS), or that has as one of its purposes the establishment or improvement of records systems that contain any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS, the recipient (or subrecipient, if applicable) must ensure that all such court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS are promptly made available to the NICS or to the "State" repository/database that is electronically available to (and accessed by) the NICS, and -- when appropriate -- promptly must update, correct, modify, or remove such NICS-relevant "eligible records".

In the event of minor and transitory non-compliance, the recipient may submit evidence to demonstrate diligent monitoring of compliance with this condition (including subrecipient compliance). DOJ will give great weight to any such evidence in any express written determination regarding this condition.

56

Prohibition on use of award funds for match under BVP program

JAG funds may not be used as the 50% match for purposes of the DOJ Bulletproof Vest Partnership (BVP) program.

57

Body armor - impact on eligibility for other program funds

The recipient understands that the use of funds under this award for purchase of body armor may impact eligibility for funding under the Bulletproof Vest Partnership (BVP) program, a separate program operated by BJA, pursuant to the BVP statute at 34 USC 10531(c)(5).

58

The recipient agrees that no funds under this grant award (including via subcontract or subaward, at any tier) may be used for unmanned aircraft systems (UAS), which includes unmanned aircraft vehicles (UAV), or for any accompanying accessories to support UAS.

59

Recipient integrity and performance matters: Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any

other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIS").

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIS") within SAM are posted on the OJP web site at <https://ojp.gov/funding/FAPIS.htm> (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIS), and are incorporated by reference here.

60

Required training for Grant Award Administrator and Financial Manager

The Grant Award Administrator and all Financial Managers for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after October 15, 2020, will satisfy this condition.

In the event that either the Grant Award Administrator or a Financial Manager for this award changes during the period of performance, the new Grant Award Administrator or Financial Manager must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after the date the Entity Administrator enters updated Grant Award Administrator or Financial Manager information in JustGrants. Successful completion of such a training on or after January 1, 2020, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

61

BJA- JAG - Withholding of Funds for MOU

Withholding of funds: Memorandum of Understanding

The recipient may not expend or draw down any award funds until OJP has reviewed and approved the Memorandum of Understanding (MOU), and an Award Condition Modification has been issued to remove this condition.

62

BJA- JAG - Withholding of Funds for Chief Executive Certification

Withholding of funds: Required certification from the chief executive of the applicant government

The recipient may not expend or draw down any award funds until the recipient submits the required "Certifications and Assurances by the Chief Executive of the Applicant Government," properly-executed (as determined by OJP), and an Award Condition Modification has been issued to remove this condition.

[X]

I have read and understand the information presented in this section of the Federal Award Instrument.

Award Acceptance

Declaration and Certification to the U.S. Department of Justice as to Acceptance

By checking the declaration and certification box below, I--

- A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this declaration and certification on behalf of the applicant.
- B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant's legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.
- C. Accept this award on behalf of the applicant.
- D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

Agency Approval

Title of Approving Official	Name of Approving Official	Signed Date And Time
Deputy Assistant Attorney General	Maureen Henneberg	9/19/22 5:05 PM

Authorized Representative

Declaration and Certification

Entity Acceptance

Title of Authorized Entity Official

Director of grants and Finance

Name of Authorized Entity Official

GABRIELA JASSO

Signed Date And Time

11/4/2022 1:51 PM

