
Edward Byrne Memorial Justice Assistance Grant (JAG) Program

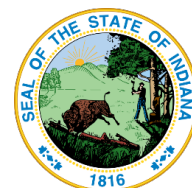
2022

REQUEST *for* PROPOSAL

State of Indiana
Governor
Eric J. Holcomb

Indiana Criminal Justice Institute
Executive Director
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Drug and Crime Control Division
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2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

REQUEST FOR PROPOSAL

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funded projects may address crime through the provision of services directly to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures. Established to streamline justice funding and grant administration, the JAG Program allows states, tribes, and local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions.

HOW TO APPLY



Applicants must be registered in IntelliGrants in order to access the electronic application.

[Register](#)

or

[Log in](#)

WHEN TO APPLY



Applications must be submitted via IntelliGrants on or before:

12:00 P.M. (ET) on Friday, November 5, 2021

Applicants are strongly encouraged to submit applications at least 72 hours prior to the deadline.

AWARD PERIOD



Award Period: January 1, 2022 – December 31, 2022

TECHNICAL ASSISTANCE



For technical assistance with submitting an application, contact your grant manager or the Help Desk at CJIHelpdesk@cji.in.gov.

ICJI is not responsible for technical issues with grant submission within 24 hours of grant deadline. For assistance with any other requirements of this solicitation, please contact: Leann Jagers LeJagers@cji.in.gov or Butch Michael MMichael1@cji.IN.gov.

IMPORTANT



Several changes have been made to the solicitation from previous years. Please be sure to review the application in its entirety before completing. This includes the elimination of JAG Continuation funding for programs after 5 years.

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PROGRAM DESCRIPTION

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program allows states and units of local government 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, 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; and 7) mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams. This JAG award will be used to support criminal justice initiatives that fall under one or more of the allowable program areas above. Funded programs or initiatives may include multijurisdictional drug and gang task forces, crime prevention and domestic violence programs, courts, corrections, treatment, justice information sharing initiatives, or other programs aimed at reducing crime and/or enhancing public/officer safety.

In general, JAG funds may be used to hire additional personnel and/or purchase equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice, including for any one or more of the following program areas:

- » Law enforcement programs
- » Prosecution and court programs
- » Prevention and education programs
- » Corrections and community corrections programs
- » Drug treatment and enforcement programs
- » Planning, evaluation, and technology improvement programs
- » Mental health programs related to law enforcement and corrections programs, including behavioral programs and crisis intervention teams

In connection with the above grant purposes, the term “criminal justice” refers to “activities pertaining to crime prevention, control, or reduction, or the enforcement of the criminal law, including, but not limited to, police efforts to prevent, control, or reduce crime or to apprehend criminals, including juveniles, activities of courts having criminal jurisdiction, and related agencies (including but not limited to prosecutorial and defender services, juvenile delinquency agencies and pretrial service or release agencies), activities of corrections, probation, or parole authorities and related agencies assisting in the rehabilitation, supervision, and care of criminal offenders, and programs relating to the prevention, control, or reduction of narcotic addiction and juvenile delinquency.”

PRIORITY AREAS

Applications for funding should fall under one of the JAG funding priority areas identified below. Priority will be given to programs that address one of the JAG funding priority areas and demonstrate evidence-based practices.

- » *Restoring Justice* includes enhancing access to services and building tools to support diversion and alternatives to incarceration.
- » *Community Violence Intervention* includes enhancing law enforcement practices and building community engagement.
- » *Law Enforcement Accreditation, Policy Development, and Training* includes law enforcement accreditation and developing and maintaining policies and law enforcement training focused on addressing those areas most likely to promote trust, transparency, and accountability, including use of force, racial profiling, implicit bias, procedural justice, and duty to intervene.
- » *Technologies to Support Transparency and Information Sharing between Law Enforcement and Communities* includes software and hardware solutions designed to enhance agency transparency with the capability of facilitating information sharing with the public, promoting an agency's work, and developing data-driven programs that improve public safety and build trust. Examples could include, but are not limited to, the sharing of information about crime statistics, locations of criminal activity, aggregated information regarding internal affairs complaints, resolutions of cases and issues in the community, support for community surveys, and outreach to residents to gather feedback.
- » *Sustaining COVID-19 Criminal Justice Innovations* includes innovative ways to administer justice while balancing the need to mitigate the coronavirus and maintain social distancing. While many of these innovations have an upfront cost, they may be proven to be cost saving and efficient over time. As such, it is important to sustain these cost-saving efficiencies that results from the COVID-19 pandemic.
- » *Innovative Forensic Technologies such as Rapid DNA for Booking Stations* includes the implementation of Rapid DNA technology in booking stations within the State of Indiana. Rapid DNA, or Rapid DNA analysis, is a term used to describe the fully automated (hands free) process of developing a DNA profile from a reference sample mouth swab in 1-2 hours without the need of a DNA laboratory and without any human intervention. The overall goal of the Rapid DNA initiative is to immediately enroll qualifying arrestees in CODIS and search unsolved crimes of special concern in near real time during the booking process. Please contact ICJI for more information related to the prerequisites for agencies to participate in Rapid DNA.

EVIDENCE-BASED PROGRAMS

The Office of Justice Programs (OJP) strongly emphasizes the use of data and evidence in policymaking and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- » Improving the quantity and quality of data and evidence OJP generates.
- » Integrating evidence into program, practice and policy decisions within OJP and the field.
- » Improving the translation of evidence into practice.

Please refer to the OJP [CrimeSolutions.ojp.gov](https://www.crimesolutions.ojp.gov) website for more information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

Programs that identify as being evidence-based should provide data related to the program it is seeking to replicate. ICJI considers a program and/or practice to be evidence-based when:

1. The program or practice has been evaluated and the findings published in an academic, peer-reviewed journal(s) (e.g., *Punishment & Society*, *Psychology*, *Crime & Law*, etc.) demonstrating positive results;
2. Effectiveness of the program or practice has been demonstrated by causal evidence (generally obtained through one or more outcome evaluations); or
3. The program or practice can be found on a list or registry of evaluated programs and practices (e.g. [Crime Solutions](#), [SAMHSA's Evidence-Based Practices Resource Center](#), [George Mason University's Center for Evidence-Based Crime Policy](#), etc.) and is categorized as evidence-based, effective, promising, a model practice, or a best practice.

ELIGIBILITY REQUIREMENTS

State agencies, units of local government, and units of tribal governments are eligible to apply for JAG program funding. A local unit of government is defined as: a city, county, town, township, or other political subdivision of a state; any law enforcement district or judicial enforcement district that is established under applicable state law and has authority to, in a manner independent of other state entities, establish a budget and impose taxes; and includes Indian tribes which perform law enforcement functions as determined by the Secretary of the Interior. A city or county jurisdiction must be the recipient on behalf of city and county departments.

Additionally, all applicants awarded a grant from ICJI must agree to:

1. Comply with all provisions of the grant agreement.
2. Comply with all award conditions set forth in the Special Conditions.
3. Submit all reports in the prescribed format and time frames as determined by ICJI.
4. Submit quarterly performance measures as listed in the Special Conditions provided upon approval of the proposal.
5. Comply with federal guidelines contained in 2 C.F.R Part 200 and the [DOJ Financial Guide](#).
6. Submit any and all data related to Uniform Crime Reporting (UCR) under Indiana Code § 5-2-6-10.5 and to the State upon request.

AWARD PERIOD

The award period for this grant shall be January 1, 2022 – December 31, 2022. Projects should begin on January 1, 2022, and must be in operation no later than 60 days after January 1, 2022. Failure to have the funded project operational within the time allotted may result in the cancellation of the grant and the de-obligation of all awarded funds.

All projects must conclude, and all funding obligations must be made no later than December 31, 2022. All outstanding expenses must be paid, and the Final Fiscal Report must be submitted via Intelligrants within thirty (30) days from December 31, 2022.

All program activities *must* be completed by the end of the award period, including the purchase and acquisition of equipment. All grant-funded equipment must be purchased, installed, and operational by the end of the award period. Subrecipients will not be eligible to seek reimbursement for equipment that is purchased during the award period, but not installed or operational prior to the end of the award period, and the subrecipient will be required to de-obligate any related funds.

MATCH REQUIREMENT

Matching or cost sharing means the portion of project costs not paid by federal funds. Match is typically stated as a percentage of the total project costs for an award.

There is no match requirement for first year and second year JAG subrecipients. All other programs and subrecipients must follow the match requirement schedule listed below. In order to continue funding new programs, ICJI has eliminated funding for the continuation of JAG programs after five (5) years of funding.

- » 3rd year – 25% match
- » 4th year – 50% match
- » 5th year – 75% match
- » 6th year – *Ineligible for JAG funding*

Applicants may satisfy the match requirement with cash, in-kind services, or program income funds. In order to calculate match funds, please refer to the following formula:

1. Award Amount ÷ Percent of Federal Share = Total Project Cost
2. Total Project Cost × Percent of Recipient Share = Required Match

Example: A subrecipient is awarded \$150,000 in federal funding. The match requirement is a 25/75 ratio (federal percentage/recipient percentage).

$$\begin{aligned} \$150,000 \div 0.75 &= \$200,000 \text{ (Total Project Cost)} \\ \$200,000 \times 0.25 &= \$50,000 \text{ (Required Match)} \end{aligned}$$

Additionally, matching funds must meet all of the following criteria:

- » Must be verifiable from the subrecipient's records;
- » Are not included as contributions for any other federal award;
- » Are necessary and reasonable for the accomplishment of the project or program objectives;
- » Are allowable under 2 C.F.R. 200.400;
- » Are not paid by the federal government under another federal award, except where authorized by federal statute;
- » Are provided for in the approved budget; and
- » Conform to all other provisions of 2 C.F.R. Part 200.

Match is restricted to the same use of funds as allowed for federal funds. If the expenditure is not allowable with federal funds, it is not allowable with match funds.

Applicants must identify all sources of the non-federal portion of the total project costs (i.e., match funds), and applicants must explain how the match funds will be used in the budget narrative section of the application within IntelliGrants.

APPLICATION SUBMISSION

Grant applications and all required supporting documentation must be submitted through [IntelliGrants](#) no later than 12:00 p.m. (ET) on **Friday, November 5, 2021**. Applicants are strongly encouraged to submit applications at least 72 hours prior to the grant application deadline.

No late or incomplete applications will be considered for funding.

IntelliGrants is an end-to-end solution for the administration of grants. Everything from the grant application, reports, and fiscal drawdowns will occur online within IntelliGrants. Applicants must register in IntelliGrants to apply for funding opportunities. Registration instructions can be found on the ICJI [website](#).

It is recommended that subgrantees review IntelliGrants training materials before logging in for the first time. The [Training Webinar and Subgrantee User Manual](#) is also available on the ICJI website and on the training tab in IntelliGrants.

ATTACHMENTS REQUIRED WITH APPLICATION

Applicants must provide:

1. Most recent agency audit.
2. Completed and signed [EEO Certification](#).
3. If applying for personnel costs, copies of the relevant job descriptions.

Applicants must provide (if applicable):

- » Memorandum of Understanding (MOU) – an MOU must exist between all agencies involved in a multi-jurisdictional task force (MJTF) to include guidance on task force asset forfeitures and program income.
- » Information Sharing/Interoperable Communication (see [Information Sharing](#)).
- » Mandatory Wear Policy (see [Technology/Equipment Improvements](#)).
- » Body Worn Camera Policy Certification (see [Technology/Equipment Improvements](#)).
- » Problem Solving Courts:
 - Copy of Certification as an Indiana Problem Solving Court.
 - Policies and procedures related to operation of the Problem-Solving Court.
 - The schedule for fees charged to participants of the program.
 - Copy of all agreements with service providers working with the court. This is not to be limited to only treatment providers, but should include those providing education services, job enhancement skills, individual/family behavioral counseling, etc.
- » Certifications.
- » Equipment estimates/quotes.
- » Agency's travel policy if stricter than the State of Indiana's. If a travel policy is not attached, the State travel policy will be followed.
- » Any local (direct) JAG awards received by your agency
- » *Contractor/Consultant Agreements:* Any program that has contractual or consultant fees included in their budget must attach a copy of the contract/consultant agreement. All contracts/agreements and MOUs must contain a date range for services that covers the project period of the grant, a list of deliverables and expectations, and signatures from all parties. If the above documents are required for your grant, they should be attached in the first quarter report at the latest. Should the above documents not be completed by the end of the first quarter, an explanation as to why they are not completed should be included in your JAG Narrative Section. If at any time during the grant period these documents are revised, please include an updated copy of the document in the attachments section.

APPLICATION REVIEW

Pursuant to 2 C.F.R. Part 200, ICJI will review and score all grant applications as part of the competitive application process. Specifically, ICJI will assess:

- » The completeness of the grant application;
- » Whether the grant application is within the purpose areas of the funding;
- » The applicant's eligibility;
- » Whether the grant application, the applicant, and the project are in compliance with all federal and state laws, regulations, and rules;
- » Whether the proposed expenditures set forth in the project budget are allowable and allocable;
- » Any potential conflicts of interest;
- » Whether the applicant has any federal and/or state debt delinquency;
- » The applicant's ability to successfully pass clearance checks from the DOR, DWD, and SOS.
- » Any and all risk associated with granting funds to the applicant;
- » Whether the applicant is debarred or suspended by any federal or state department or agency; and
- » Whether the applicant maintains a current registration in SAM and has an active DUNS number.

Any factor or circumstance which may adversely affect the applicant's ability to successfully complete the grant program must be reported to the State prior to submission of the grant application. Such factors and circumstances include, but are not limited to, federal or state debt; conflicts of interest; federal or state debarments or suspensions; current, pending or outstanding criminal, civil, or enforcement actions initiated by the State; and whether the applicant has been designated as high risk by any federal or state department or agency. If an applicant has been designated as high risk, it must specifically disclose to the State:

1. The federal or state agency that currently designated the applicant as high risk.
2. Date the applicant was designated high risk.
3. The high-risk point of contact name, phone number, and email address, from the federal or state agency.
4. Reason(s) for the high-risk status.

UNALLOWABLE COSTS

JAG funds may not be used (directly or indirectly) for any purpose prohibited by federal statute or regulation, including those purposes specifically prohibited by the JAG Program statute as set forth in 34 U.S.C. § 10152. JAG funds may not be used (directly or indirectly) for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Additionally, grant funds may not be used for any of the following items:

- » Vehicles, vessels, or aircraft.
- » Luxury items.
- » Real estate.
- » Construction projects.
- » Any similar matters or items as identified by the DOJ.
- » Weapons and/or accessories.
- » Fuel.
- » Ammunition (lethal or non-lethal).
- » Electronic Immobilization Devices (“EID”).
- » Military-type equipment.
- » Repair and maintenance for equipment obtained through the DoD program.
- » Canines and related expenses.
- » Restitution payments.
- » First Class travel.
- » Pre-agreement costs.
- » Rental costs are limited to fair market value for similar facilities in your locality. Rental rates in excess of this amount will need special approval.
- » Calculation and reimbursement for mileage, per diem, and lodging cannot exceed state rates. [Learn more.](#)
- » Daily subsistence within the targeted service area (daily subsistence can only be requested if travel occurs outside the targeted service area and in accordance with such rules established by the Indiana Department of Administration).

Additionally, federal law prohibits the use of federal funds for certain activities irrespective of the federal funding source or the specifics of the grant program. These prohibitions include but may not be limited to:

- » Lobbying
- » Fundraising
- » State and local taxes
- » Entertainment
- » Fines and penalties
- » Home office workspace and related utilities
- » Honoraria
- » Passport charges
- » Tips
- » Food and/or beverages
- » Membership fees to organizations whose primary activity is lobbying
- » Land acquisition
- » Bonuses or commissions

SUPPLANTING PROHIBITED

Federal funds must be used to *supplement* existing state or local funds for program activities and may not replace state or local funds that have been appropriated or allocated for the same purpose. Additionally, federal funding may not replace state or local funding that is required by law. If a question of supplanting arises, the applicant or subgrantee will be required to substantiate that the reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

CONTRACTORS & CONSULTANTS

When a subrecipient contracts for work or services, the following is required:

1. All contractual services must be obtained through an approved procurement method. Proof of a valid procurement method must be supplied upon completion of contract.

2. All consultant and contractual services shall be supported by written contracts signed by all parties stating the services to be performed, the rate of compensation, and the length of time over which the services will be provided.
3. A copy of all written contracts for contractual or consultant services shall be attached in IntelliGrants to the grant file upon their ratification.
4. Payments shall be supported by documentation outlining the services rendered, date(s) of service, and cost of service.
5. Any consultant costs exceeding the allowable rate (maximum of \$81.25 per hour or \$650 per day) will not be allowed.

MONITORING

2 C.F.R. Part 200 and the DOJ Grants Financial Guide set forth monitoring requirements whereby the State must establish and carry out a process of assessing the progress of projects and programs that are funded, in whole or in part, by federal funds. Grant monitoring measures both financial and programmatic progress, and allows ICJI to provide technical assistance, measure subgrantee compliance, and provide results-based feedback to subgrantees.

The State will monitor all grant awards via an ICJI Grant Manager and ICJI Compliance Monitoring Team. As part of the monitoring process, the grant manager will review all reports submitted by the subgrantee within 15 days for accuracy, timeliness, completeness, etc. The State will conduct on-site or off-site monitoring reviews of the project or program during the term of the grant period and for up to three (3) years after it expires or is otherwise terminated. All documentation related to the grant shall be provided to the State upon request at no cost. If the subgrantee fails to comply or cooperate with the State's monitoring process, the State may consider such non-cooperation as a material breach of the grant agreement, and the grant may be terminated.

Delinquent, inaccurate, incomplete, and/or fraudulent program and fiscal reports will be considered a material breach of the grant agreement. ICJI's remedies include, but are not limited to, identifying the grantee as high risk, de-obligated funding, termination of the grant, disqualification from future funding, and/or referral to the U.S. Office of Inspector General. The subgrantee agrees to comply with any additional requirements that may be imposed during the grant period if the State determines that the subgrantee is deemed to be high-risk pursuant to 28 C.F.R. parts 66, 70.

REPORTING REQUIREMENTS

Reporting shall be completed on a quarterly basis in IntelliGrants. Additionally, subrecipients are required to submit quarterly programmatic reports via the Bureau of Justice Assistance's Performance Measurement Tool (PMT). Additional information and assistance on the updated measures may be found at the [BJA PMT website](#). Failure to submit any report in a timely fashion may be considered a material breach, at the discretion of the State. For more information related to grant reporting requirements, please refer to 2 C.F.R. and 28 C.F.R.

Date/Deadline	Description	Performance Period
January 1, 2022	Award Period Begins	
April 20, 2022	First quarter fiscal/program reports due	January 1 – March 31, 2022
July 20, 2022	Second quarter fiscal/program reports due	April 1 – June 30, 2022
October 20, 2022	Third quarter fiscal/program reports due	July 1 – September 30, 2022
December 31, 2022	Project End Date	All funds must be expended
January 30, 2023	Final fiscal/program reports due	October 1– December 31, 2022

INTELLIGRANTS REPORTING

Subrecipients are required to submit quarterly programmatic and fiscal reports in IntelliGrants. Upon submission, an ICJI grant manager will then review and approve or deny the reports. Each program report and fiscal report must be approved by ICJI prior to seeking reimbursement.

JAG PMT REPORTING

Subrecipients are required to submit performance measurement data in BJA’s Performance Measurement Tool (PMT) located [here](#).

AUDIT REQUIREMENTS

Pursuant to 2 C.F.R. Part 200, specifically, § 200.500 *et.seq*, recipients of federal funds are subject to annual audit requirements.

1. *Audit required:* A non-federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.
2. *Single audit:* A non-federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single audit conducted in accordance with §200.514 Scope of audit except when it elects to have a program-specific audit conducted in accordance with paragraph (c) of this section.
3. *Program-specific audit election:* When an entity expends Federal awards under only one Federal program (excluding research and development) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of the entity, the entity may elect to have a program-specific audit conducted in accordance with §200.507 Program-specific audits. A program-specific audit may not be elected for research and development unless all of the Federal awards expended were received from the same Federal agency, or the same Federal agency and

the same pass-through entity, and that Federal agency, or pass-through entity in the case of a subrecipient, approves in advance a program-specific audit.

4. *Exemption when federal awards expended are less than \$750,000:* A non-federal entity that expends less than \$750,000 during the non-Federal entity's fiscal year in Federal awards is exempt from Federal audit requirements for that year, except as noted in §200.503 Relation to other audit requirements, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and Government Accountability Office (GAO).
5. *Federally Funded Research and Development Centers (FFRDC):* Management of an entity that owns or operates a FFRDC may elect to treat the FFRDC as a separate entity for purposes of this part.
6. *Subrecipients and Contractors:* An entity may simultaneously be a recipient, a subrecipient, and a contractor. Federal awards expended as a recipient or a subrecipient are subject to audit under this part. The payments received for goods or services provided as a contractor are not Federal awards. Section §200.330 Subrecipient and contractor determinations sets forth the considerations in determining whether payments constitute a Federal award or a payment for goods or services provided as a contractor.
7. *Compliance responsibility for contractors:* In most cases, the entity's compliance responsibility for contractors is only to ensure that the procurement, receipt, and payment for goods and services comply with Federal statutes, regulations, and the terms and conditions of Federal awards. Federal award compliance requirements normally do not pass through to contractors. However, the entity is responsible for ensuring compliance for procurement transactions, which are structured such that the contractor is responsible for program compliance or the contractor's records must be reviewed to determine program compliance. Also, when these procurement transactions relate to a major program, the scope of the audit must include determining whether these transactions are in compliance with Federal statutes, regulations, and the terms and conditions of Federal awards.
8. *For-profit subrecipient:* Since this part does not apply to for-profit subrecipients, the pass-through entity is responsible for establishing requirements, as necessary, to ensure compliance by for-profit subrecipients. The agreement with the for-profit subrecipient must describe applicable compliance requirements and the for-profit subrecipient's compliance responsibility. Methods to ensure compliance for Federal awards made to for-profit subrecipients may include pre-award audits, monitoring during the agreement, and post-award audits. See also §200.331 Requirements for pass-through entities.

PROGRAM-SPECIFIC REQUIREMENTS

INFORMATION SHARING

Programs and plans considering information sharing should be familiar with the [Global Criminal Justice Information Sharing Standards](#). In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, ICJI requires the applicant to comply with DOJ's Global Justice Information Sharing Initiative guidelines and recommendations for this award. Applicants must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described in the [Global Standards Package Grant Condition](#). Recipients must document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

MULTI-JURISDICTIONAL TASK FORCES (MJTF)

An MJTF is a program that integrates a minimum of three agencies in at least two Indiana counties, or the integration of at least two county task forces which show collaboration with state and federal law enforcement agencies for the purpose of enhancing interagency coordination, intelligence, and facilitating multi-jurisdictional investigations.

Requirements:

- » Detail a comprehensive strategy that includes undercover investigation, direction, and control of confidential informants, drug interdiction efforts, and prosecutorial support.
- » Attach copies of policies and procedures concerning task force asset forfeitures and program income.
- » Ensure Task force members' required training is complete.
- » A memorandum of understanding between all participating agencies must be submitted to ICJI with the first quarter reports.

TECHNOLOGY/EQUIPMENT IMPROVEMENTS

- » Body Worn Cameras: Copy of the agency's [Body Worn Camera Certification](#).
- » Bullet Proof Vest: Copy of the agency's [Body Armor Certification](#).

CONFIDENTIAL FUNDS

Applications requesting confidential funds must read and comply with the requirements set forth in the DOJ Financial Guide. Additionally, all applications including a request for confidential funds must provide the [Confidential Fund Certification](#).

DNA TESTING PROGRAMS

If JAG funds are used for DNA testing of evidentiary materials, any resulting eligible profiles must be uploaded to the Combined DNA Index System (CODIS) by a government DNA lab with access to CODIS. No profiles generated with JAG funds may be entered into any other nongovernmental DNA database.

PROBLEM SOLVING COURT PROGRAMS

Subrecipients seeking JAG funding for problem-solving court programs should provide the following at the time of application:

- » Copy of Certification as an Indiana Problem Solving Court.
- » Policies and procedures related to operation of the program.
- » The schedule for fees charged to participants.
- » Copy of all agreements with service providers working with the court. This is not to be limited to only treatment providers, but should include those providing education services, job enhancement skills, individual/family behavioral counseling, etc.

CONFERENCE COSTS

Any approved conferences or trainings must abide by the Office of Justice Programs policy on conference costs, including related expenses for lodging and transportation. Visit the [DOJ Financial Guide](#) for the most updated and current eligible conference information, as cost limitations are dependent upon overall cost and costs per attendee.

APPENDIX: APPLICABLE LAWS AND MANDATORY REQUIREMENTS

GENERAL

This award is governed by 2 C.F.R. Part 200 and the current DOJ Grants Financial Guide. All applicants must adhere to all provisions set forth in federal and state statute, regulation, or rule. Failure to abide by any applicable federal and state requirements may, at the discretion of the State, be considered a material breach. The consequences of a material breach include but are not limited to:

- » The applicant becoming ineligible for this grant funding opportunity;
- » Requiring repayment of any grant funds already received;
- » The de-obligation of grant funds; and
- » The material breach becoming a factor in the scoring process for future grant applications.

Furthermore, subgrantees may not obligate, expend or draw down grant funds until the Federal Office of the Chief Financial Officer notifies the State that the grant has been awarded to Indiana. The State shall not reimburse a subgrantee for expenditures outside the grant period of performance.

Pursuant to 2 C.F.R. Part 200, all applicants are required to establish and maintain grant accounting systems and financial records to accurately account for funds awarded to them.

The applicant understands and agrees that it cannot use federal funds from different funding sources for one or more of the identical cost items, in whole or in part. If this scenario presents itself, the Applicant must contact the ICJI program manager in writing and refrain from the expenditure, obligation, or drawn down of any federal funds awarded from ICJI concerning the identical cost items.

CIVIL RIGHTS LAWS AND REQUIREMENTS

Recipients of federal grants are required to adhere to all federal and state laws concerning civil rights including, but not limited to, the laws set forth below

- » *Nondiscrimination*: Pursuant to the Indiana Civil Rights Law, specifically including IC §22-9-1-10, and in keeping with the purposes of the federal Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act, the Applicant covenants that it shall not discriminate against any employee or applicant for employment relating to this grant with respect to the hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of the employee or applicant's race, color, national origin, religion, sex, age, disability, ancestry, status as a veteran, or any other characteristic protected by federal, state, or local law ("Protected Characteristics"). Furthermore, Applicant certifies

compliance with applicable federal laws, regulations, and executive orders prohibiting discrimination based on the Protected Characteristics in the provision of services.

Applicant covenants that it shall not discriminate against any individual based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity as outlined in the Violence Against Women Act Reauthorization Act of 2013.

The Applicant understands that the State is a recipient of federal funds, and therefore, where applicable, Applicant and any subcontractors shall comply with requisite affirmative action requirements, including reporting, pursuant to 41 C.F.R. Chapter 60, as amended, and Section 202 of Executive Order 11246 as amended by Executive Order 13672.

- » *Services to Limited English Proficiency (LEP) Individuals:* In accordance with Department of Justice (DOJ) guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41, 455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see this [website](#).

- » *Ensuring Equal Treatment for Faith-Based Organizations:* Faith-based organizations are prohibited from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by this grant, and recipients cannot compel beneficiaries to participate in these activities. The Equal Treatment Regulation also makes it clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of the beneficiary's religion. For more information on the regulation, please see the Office of Civil Rights (OCR) [website](#).

Faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and the Violence Against Women Act Reauthorization Act of 2013, Pub. L. no. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funding while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

- » *Using Arrest and Conviction Records in Making Employment Decisions:* The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Opportunity Commission’s Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available [here](#). Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Opportunity Plans (EEOs).
- » *Complying with the Safe Streets Act:* An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEO (see 28 C.F.R. pt.42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c),.205(c)(5)).
- » *Meeting the EEO Requirement:* If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEO requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online [here](#).

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEO Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. The Certification Form is available [here](#).

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEO Short Form) and submit it to OCR for review within sixty days from the date of the award. For assistance in developing a Utilization Report, please consult the OCR’s [website](#). In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available [here](#).

To comply with the EEO requirements, you may request technical assistance from an EEO specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOsubmission@usdoj.gov.

- » *Ensuring Access to Federally Assisted Programs:* Federal laws that apply to recipients of federal grant awards prohibit discrimination on the basis of actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity in funded programs or activities, not only in employment but also in the delivery of services or benefits. Federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.
- » *Enforcing Civil Rights Laws:* All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.
- » *Meeting the Requirement to Submit Findings of Discrimination:* If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to OCR. A copy must also be sent to the State.

STATE LAWS AND REQUIREMENTS

Recipients of grant funds from the State are required to adhere to all state laws concerning the receipt and use of grant funds from federal and state funding sources. Those laws include, but are not limited to, the laws set forth below.

- » *State Ethical Requirements:* The Applicant and its agents shall abide by all ethical requirements that apply to persons who have a business relationship with the State as set forth in IC §4-2-6, et seq., IC §4-2-7, et seq. and the regulations promulgated thereunder. If the Applicant has knowledge, or would have acquired knowledge with reasonable inquiry, that a state officer, employee, or special state appointee, as those terms are defined in IC § 4-2-6-1, has a financial interest in the grant, the Applicant shall ensure compliance with the disclosure requirements in IC § 4-2-6-10.5 prior to the execution of this grant. If the Applicant is not familiar with these ethical requirements, the Applicant should refer any questions to the Indiana State Ethics Commission or visit the Inspector General's [website](#). If the Applicant or its agents violate any applicable ethical standards, the State may, in its sole discretion, terminate this grant immediately upon notice to the Applicant. In addition, the Applicant may be subject to penalties under IC §§4-2-6, 4-2-7, 35-44.1-1-4, and under any other applicable laws.
- » *Indiana Secretary of State:* Pursuant to Indiana Code Title 23, applicant must be properly registered and owes no outstanding reports to the Indiana Secretary of State.

- » *Telephone Solicitation of Consumers; Automatic Dialing Solicitations:* As required by Indiana Code §5-22-3-7:
 - (1) the Applicant and any principals of the Applicant certify that
 - (A) except for de minimis and nonsystematic violations, it has not violated the terms of:
 - (i) IC §24-4.7 [Telephone Solicitation Of Consumers];
 - (ii) IC §24-5-12 [Telephone Solicitations]; or
 - (iii) IC §24-5-14 [Regulation of Automatic Dialing Machines];
 in the previous three hundred sixty-five (365) days, even if IC § 24-4.7 is preempted by federal law; and
 - (B) the Applicant will not violate the terms of IC §24-4.7 for the duration of this Grant Agreement, even if IC §24-4.7 is preempted by federal law.
 - (2) The Applicant and any principals of the Applicant certify that an affiliate or principal of the Applicant and any agent acting on behalf of the Applicant or on behalf of an affiliate or principal of the Applicant, except for de minimis and nonsystematic violations,
 - (A) has not violated the terms of IC §24-4.7 in the previous three hundred sixty-five (365) days, even if IC §24-4.7 is preempted by federal law; and
 - (B) will not violate the terms of IC §24-4.7 for the duration of the grant agreement even if IC §24-4.7 is preempted by federal law.
- » *Drug-Free Workplace Certification:* Applicant hereby covenants and agrees to make a good faith effort to provide and maintain a drug-free workplace as required by Executive Order 90-5, April 12, 1990. Executive Order 90-5 applies to all individuals and private legal entities who receive grants or contracts from State agencies. This clause was modified in 2005 to apply only to Contractor's employees within the State of Indiana and cannot be further modified, altered or changed. Applicant will give written notice to the State within ten (10) days after receiving actual notice that the Applicant, or an employee of the Applicant in the State of Indiana, has been convicted of a criminal drug violation occurring in the workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of grant payments, termination of the grant and/or debarment of grant opportunities with the State of Indiana for up to three (3) years.

In addition to the provisions of the above paragraphs, if the total amount set forth in this Grant Agreement is in excess of \$25,000.00, the Applicant certifies and agrees that it will provide a drug-free workplace by:

- A. Publishing and providing to all of its employees a statement notifying them that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violations of such prohibition; and
- B. Establishing a drug-free awareness program to inform its employees of (1) the dangers of drug abuse in the workplace; (2) the Applicant's policy of maintaining a drug-free workplace; (3) any available drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon an employee for drug abuse violations occurring in the workplace; and

- C. Notifying all employees in the statement required by subparagraph (A) above that as a condition of continued employment the employee will (1) abide by the terms of the statement; and (2) notify the Applicant of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction; and
 - D. Notifying in writing the State within ten (10) days after receiving notice from an employee under subdivision (C)(2) above, or otherwise receiving actual notice of such conviction; and
 - E. Within thirty (30) days after receiving notice under subdivision (C)(2) above of a conviction, imposing the following sanctions or remedial measures on any employee who is convicted of drug abuse violations occurring in the workplace: (1) take appropriate personnel action against the employee, up to and including termination; or (2) require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency; and
 - F. Making a good faith effort to maintain a drug-free workplace through the implementation of subparagraphs (A) through (E) above.
- » *Employment Eligibility Verification:* As required by IC §22-5-1.7, the Applicant hereby swears or affirms under the penalties of perjury that:
- A. The Applicant has enrolled and is participating in the E-Verify program;
 - B. The Applicant has provided documentation to the State that it has enrolled and is participating in the E-Verify program;
 - C. The Applicant does not knowingly employ an unauthorized alien; and The Applicant shall require its contractors who perform work under this Grant Agreement to certify to Applicant that the contractor does not knowingly employ or contract with an unauthorized alien and that the contractor has enrolled and is participating in the E-Verify program. The Applicant shall maintain this certification throughout the duration of the term of a contract with a contractor.
 - D. The State may terminate for default if the Applicant fails to cure a breach of this provision no later than thirty (30) days after being notified by the State.