



U.S. Department of Justice

Office of Justice Programs

Office for Civil Rights

Washington, D.C. 20531

August 14, 2009

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Mr. Robert Thornton
Program Director
Georgia Criminal Justice Coordinating Council
104 Marietta Street, Suite 440
Atlanta, GA 30303-2743

Re: Compliance Review of Georgia Criminal Justice Coordinating Council
(09-OCR-0083)

Dear Mr. Thornton:

On June 18, 2007, the Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) initiated a compliance review of all State Administering Agencies, including the Georgia Criminal Justice Coordinating Council (CJCC or Council), in accordance with federal regulation 28 C.F.R. § 42.206. The focus of the review was on the CJCC's compliance with applicable federal civil rights laws along with the Council's monitoring procedures for ensuring the compliance of subrecipients with these laws. Of particular interest to the OCR was the CJCC's implementation and monitoring of the DOJ's regulations, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38 [hereinafter Equal Treatment Regulations].

On March 13, 2009, the OCR conducted an onsite visit to the CJCC's offices in Atlanta, Georgia to interview CJCC representatives and to conduct a training program for Council management and program staff about the federal civil rights laws that the OCR enforces. The OCR would like to thank you for assisting OCR attorney Christopher Zubowicz during his onsite visit.

In regard to the limited scope of this compliance review, the OCR concludes that the CJCC appears to be taking measures to comply with the federal civil rights laws that the OCR enforces. Nonetheless, we have reservations about the adequacy of the Council's (1) onsite monitoring of subrecipients, (2) training and technical assistance for subrecipients, (3) complaint procedures for responding to certain discrimination allegations, and (4) efforts to make subawards to nonprofit organizations that may not be tax exempt under 501(c)(3) of the Internal Revenue Code. The following Compliance Review Report includes recommendations for improving the Council's methods for monitoring the civil rights compliance of subrecipients.

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Compliance Review Report: Overview and Recommendations

I. Overview

This Compliance Review Report first examines the CJCC's procedures for monitoring whether subrecipients are meeting their obligations to comply with the federal civil rights laws that are a condition for receiving federal financial assistance. The Report then focuses on the Council's implementation of the DOJ's Equal Treatment Regulations.

A. General Monitoring Procedures to Ensure Subrecipient Compliance with Applicable Federal Civil Rights Laws

Recipients of federal financial assistance from the OJP are responsible for certifying that contractors and subrecipients under DOJ grant programs comply with applicable federal civil rights laws. In reviewing the CJCC's general efforts to ensure subrecipients' compliance with their civil rights obligations, the OCR examined how the Council used the following four tools: (1) standard assurances and special conditions; (2) onsite visits and other monitoring methods; (3) training programs and technical assistance; and (4) procedures for receiving, investigating, and resolving complaints alleging employment and services discrimination.

1. Standard Assurances and Special Conditions

The CJCC receives funds through the Edward Byrne Memorial Justice Assistance Grant (JAG) program, the Residential Substance Abuse Treatment for Safe Prisoners (RSAT) program, the Victims of Crime Act (VOCA) Victim Assistance program, the Violence Against Women Act (VAWA) Services • Training • Officers • Prosecutors (STOP) program, and the Project Safe Neighborhoods (PSN) program. The Council requires all applicants for these programs to sign the OJP's Standard Assurances along with Certifications Regarding Lobbying; Disbarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements, found at <http://www.ojp.usdoj.gov/funding/forms.htm>. The Standard Assurances document contains the following language regarding civil rights laws:

6. It will comply (and will require any subgrantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); the Age Discrimination

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Act of 1975 (42 U.S.C. §§ 6101-07); *see* Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).

(Standard Assurances at ¶ 6.)¹

Before it releases funds, the CJCC also requires the subrecipient to sign a Special Conditions document, which contains the following language regarding civil rights obligations:

1. The subgrantee agrees to take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website at <http://www.lep.gov>.

In addition, subgrantees who provide hotline service will provide documentation of a contract for 24-hour language interpretation service for callers who do not speak English. Subgrantees who provide hotline service will ensure that their TTY machine is operable at all times and that all staff, volunteers and interns who answer the hotline receive training and ongoing review of TTY answering machines.

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2. The subgrantee agrees to comply with the Equal Treatment Regulation (28 C.F.R. part 38) which prohibits recipients from using federal grant funding for inherently religious activities. While faith-based organizations can engage in non-funded inherently religious activities, the activities must be held separately from the grant-funded program, and customers or beneficiaries cannot be compelled to participate in them. The Equal Treatment Regulation makes clear that organizations receiving federal grant funding are not permitted to discriminate when providing services on the basis of a beneficiary's religion.

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3. In accordance with Federal regulations, your organization must comply with the following EEOP reporting requirements:

¹ In addition, the CJCC highlights pertinent equal employment opportunity requirements in its most recent VOCA Victim Assistance and VAWA STOP application kits.

If your organization has received an award for \$500,000 or more and has 50 or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare an EEOP and submit it to the Office [for] Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice for review within 60 days from the date of this award. For assistance in developing an EEOP, please consult OCR's website at <http://www.ojp.usdoj.gov/ocr/eeop/htm>. You may also request technical assistance from an EEOP specialist at OCR by dialing (202) 616-3208.

If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization must prepare an Equal Employment Opportunity Plan (EEOP), but it does not have to submit the EEOP to OCR for review. Instead, your organization has to maintain the EEOP 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 within 60 days from the date of this award. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEOP requirement. However, your organization must complete Section A of the Certification Form and return it to OCR within 60 days from the date of this award. The Certification Form can be found at <http://www.ojp.usdoj.gov/ocr/eeop.htm>.

The subgrantee must maintain proof of compliance with the above requirements and be able [to] provide such proof to the Criminal Justice Coordinating Council upon request.

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4. In the event a federal or state court or federal or state administrative agency makes an adverse finding of discrimination against your organization after a due process hearing, on the ground of race, color, national origin, or sex, your organization

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must submit a copy of the finding to the Office [for] Civil Rights and the Criminal Justice Coordinating Council.

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(Special Conditions Between CJCC and Advocates for Bartow's Children, Inc. at ¶¶ 1-4.) When a subrecipient signs and returns the Special Conditions document, the CJCC also requires it to designate a civil rights contact person.

The OCR commends the CJCC for including provisions in its Standard Assurances and Special Conditions documents that accurately describe the obligations that apply to recipients of federal financial assistance. The Council may wish to add a sentence in its Special Conditions document stating that in accordance with federal civil rights laws, the subrecipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.

2. Onsite Visits and Other Monitoring Methods

The CJCC is reviewing and refining its onsite visit procedures. In the past, the Council emphasized enhanced monitoring of those subrecipients with noted compliance problems. However, the CJCC is developing a risk assessment tool to prioritize its site visit agenda for all subrecipients. In connection with its site visit process, the Council sends subrecipients a pre-site visit questionnaire that covers areas that will be reviewed during the visit. The questionnaire expressly elicits information about several federal civil rights areas, such as whether the subgrantee has policies or procedures that address affirmative action, sexual harassment, EEOP guidelines, and discrimination. It also asks subrecipients a general question about whether they are in compliance with the special conditions governing the award, which entails an additional review of whether a subgrantee is providing meaningful access to its programs and activities for LEP persons; is in compliance with the DOJ's Equal Treatment Regulations; and has findings of discrimination to report.²

² Recently, the Council revised the form it uses during onsite visits. The superseded form included the following specific questions about EEOP and civil rights compliance issues:

1. During the last 3 years, has a Federal or State court or Federal or [sic] State administrative agency issued a finding of discrimination against the subgrantee after a due process hearing on the grounds of race, color, national origin, age, sex, religion or disability?
2. Is the subgrantee required to have an Equal Employment Opportunity Plan (EEOP)?
3. If yes to Question 2 above, is the EEOP current?
4. Does the subgrantee need any civil rights training or technical assistance regarding its duties to comply with applicable civil rights laws?

(Internal Control Questionnaire Non-Profits, CJCC (Mar. 2007) at 6.) The current site visit form does not include any of these questions.

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The Council also is developing a more formal desk review process. At this point, the program staff members review subrecipient quarterly reports, which contain financial information but provide little substantive information about specific program goals, performance targets, or compliance with applicable federal civil rights laws.

3. Training and Technical Assistance

In connection with its grant application process, the CJCC typically offers several training workshops throughout Georgia for potential applicants. It also provides various training sessions throughout the State for subrecipients. In 2008, it required all subrecipients to attend a training presentation if they had not participated in the 2007 workshops. During the training, staff members review each provision of the Special Conditions document that a subrecipient signs before receiving an award, including those related to LEP persons, the DOJ's Equal Treatment Regulations, applicable EEOP requirements, and reporting requirements regarding findings of discrimination. Council staff members also explain the site visit and desk review processes and provide contact information for the OCR.

The CJCC provides ongoing technical assistance to subrecipients and notifies them at training sessions that staff members are available to respond to any of their questions or concerns. In many instances, the Council has longstanding relationships with subrecipients, which fosters communication with them. Staff members also meet with new organization executive directors to introduce themselves and to discuss grant requirements and attendant special conditions.

4. Complaint Procedures

In reviewing complaint procedures, the OCR evaluated the processes in place for individuals to pursue complaints of employment and services discrimination against the CJCC and its subrecipients. The Council has an internal discrimination complaint policy and procedure that is available to Council employees. A CJCC employee also can file a charge with the Equal Employment Opportunity Commission (EEOC) or the Georgia Commission on Equal Opportunity (GCEO), which is responsible for enforcing the provisions of Georgia law that prohibit employment discrimination in public employment on the basis of race, color, religion, national origin, sex, disability, or age. Ga. Code Ann. § 45-19-21(a)(1) (2009). The CJCC serves beneficiaries through its Victims Services Division, which provides financial assistance to eligible victims of violent crime who have applied to the Georgia Crime Victims Compensation Program for assistance. When the Council sends notices to individuals about whether they will receive a victim award, it also informs them that they can file a discrimination complaint with the Crime Victim Compensation Board.

The CJCC does not require subrecipients to have policies or procedures regarding the handling of employment or services complaints they receive and does not determine through any of its

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monitoring efforts whether subrecipients have complaint procedures in place or whether any such procedures are communicated to subrecipient employees or beneficiaries. If the CJCC receives a discrimination complaint involving a subrecipient employee, it forwards it to the EEOC; however, the Council has not memorialized this response in any written policy or procedure. A subrecipient public employee also can file a charge with the GCEO. The CJCC has no mechanism in place to receive notice of any employment or services discrimination complaints that are filed against a subrecipient, although a subrecipient employee or beneficiary may contact a staff member directly about his or her complaint.

B. Monitoring Compliance with Faith-Based Regulations

The purpose of the Equal Treatment Regulations is to ensure that “[r]eligious organizations are eligible, on the same basis as any other organization, to participate in any [Justice] Department program for which they are otherwise eligible.” 28 C.F.R. § 38.1(a). The Regulations prohibit the DOJ and DOJ funding recipients from discriminating either for or against an organization on the basis of the organization’s religious character or affiliation. *Id.* In evaluating the CJCC’s equitable treatment of faith-based organizations, the Compliance Review Report focuses on two issues: (1) the review process for making awards to applicant faith-based organizations, and (2) procedures for ensuring that funded faith-based organizations comply with applicable federal civil rights laws.

1. The Process for Making Awards to Applicant Faith-Based Organizations

In an effort to notify potential applicants about the availability of DOJ funds, the Council reaches out to current subrecipients and posts the application for each program online. It also e-mails the announcement to various nonprofit groups, municipalities, and counties. Nonprofit organizations are eligible to receive funds under the JAG, RSAT, VOCA Victim Assistance, VAWA STOP, and PSN programs. Before the CJCC issues awards to nonprofit groups, it confirms that they are in fact nonprofit organizations, which involves determining whether the organization is registered with the Secretary of State’s Office. In its response to the OCR’s data request, the Council asserted that it does not require an organization to be designated as a 501(c)(3) organization in order to receive funding. However, in its most recent application kit for the VOCA Victim Assistance and VAWA STOP programs, the Council noted that nonprofit applicants must have federal tax exempt status to receive these funds. (2008 Application Kit for VOCA Victim Assistance and VAWA STOP Programs, CJCC, at 33.)

a. JAG program

The CJCC participates in the JAG program, which allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system. The Council contemplated issuing a notice for applications for competitive JAG funding in April 2009, although, as of the OCR’s site visit, it had not determined the precise way

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in which it would solicit applications. In discussing the JAG competitive funding, the CJCC suggested that it may expand the pool of applicants to encompass nonprofit groups, including faith-based organizations. At this point, however, no faith-based organizations receive JAG funds through the CJCC subaward process.

b. RSAT program

The CJCC also participates in the RSAT program, which assists state and local governments to develop and implement substance abuse treatment programs in state and local correctional detention facilities and to create and maintain community-based aftercare services for offenders. The Council cannot distribute RSAT funds directly to nonprofit organizations. *See Residential Substance Abuse Treatment (RSAT) for State Prisoners Program FY 2008 Formula Grant Announcement*, Bureau of Justice Assistance, at <http://www.ojp.usdoj.gov/BJA/grant/09RSATsol.pdf> (last visited June 3, 2009) at 1 (“The state office may award subgrants to state agencies, units of local government, and Native American tribes.”). However, nonprofit groups are eligible to receive RSAT funds by partnering with, for instance, units of local government to implement specific programs. While the CJCC last awarded competitive RSAT grants in 2004, it is unsure when it will make its next competitive award. Council staff members noted that, under one RSAT-funded program sponsored by the State Board of Pardons and Parole, recipients receive vouchers that they can use to participate in faith-based or secular substance abuse programs. At this point, however, no faith-based organizations directly receive RSAT funds from the CJCC.

c. VOCA Victim Assistance and VAWA STOP programs

The CJCC also receives DOJ funds through the VOCA Victim Assistance program, which supports programs serving victims of domestic violence, sexual assault, and child abuse; and the VAWA STOP program, which promotes a coordinated, multidisciplinary approach to improving the criminal justice system’s response to violent crimes against women. In 2008, the CJCC solicited applications for VOCA Victim Assistance and VAWA STOP funding and reviewed them through a peer review process. The Council formed five regional committees that consisted of approximately 100 reviewers, including representatives from the faith-based community. During the training for peer reviewers, the Council emphasized that faith-based groups are eligible to receive funds under these programs. Two individuals reviewed and scored each application, and then led a discussion about those applications within the larger committee framework. Staff members also reviewed applications and attended committee meetings. The peer review committees sent their recommendations to the twenty-four member Council, which made its funding decisions after considering several factors, including the peer review recommendations and prior funding levels for subrecipients. In response to the OCR’s data request, the CJCC identified eight faith-based groups that received VOCA Victim Assistance or VAWA STOP funds in fiscal year 2008; in fiscal years 2006 and 2007, the Council awarded funds through these programs to five faith-based groups each year.

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d. PSN program

The CJCC also subawards DOJ funds through the PSN program, which is a nationwide network designed to create safer neighborhoods by reducing gun violence and gun crime, and sustaining that reduction. Consistent with the Department's Equal Treatment Regulations, faith-based groups should be encouraged to apply for assistance awards to fund eligible grant activities. *See* Project Safe Neighborhoods (PSN) FY 2008 Grant Announcement, Bureau of Justice Assistance, at <http://www.ojp.usdoj.gov/BJA/grant/08PSNsol.pdf> (last visited June 3, 2009) at 1. A committee formed by the U.S. Attorney's Office for each judicial district selects individual subrecipients, which are then monitored by the Council. At this point, no faith-based organizations receive PSN funds from the CJCC.

2. Procedures for Ensuring that Faith-Based Organizations Comply with Applicable Civil Rights Laws

Generally, and as discussed above, the CJCC reviews the Equal Treatment Regulations with subrecipients during its periodic training workshops and seeks to determine whether subrecipients are in compliance with those regulations during onsite visits. In connection with its most recent competitive award process, the Council also has taken steps to ensure that VOCA Victim Assistance and VAWA STOP subrecipients are aware of the Equal Treatment Regulations. For instance, in its application kit for these programs, the Council emphasizes that, while faith-based organizations are eligible to apply for funding, faith-based subrecipients "must ensure that services are offered to all crime victims without regard to religious affiliation and that the receipt of services is not contingent upon participation in a religious activity or event." (2008 VOCA and VAWA Formula Grant Programs Solicitation, CJCC, at 8, 16.)

In fiscal years 2006, 2007, and 2008, the CJCC awarded VOCA Victim Assistance funds to the Crime Victims Advisory Council (CVAC), a faith-based, tax-exempt nonprofit subrecipient based in Atlanta, Georgia. The Council performs the same monitoring of the CVAC as it does of other, non-faith-based organizations. The OCR conducted an onsite visit to the CVAC on March 12, 2009. The CVAC acts as a support group for families of victims of homicide, families of victims of driving under the influence fatalities, and victims of attempted homicide. The CVAC has no preferential employment policies based on religion and has no policy favoring beneficiaries based on religion.³ The support group sessions do not have a worship or conversion component. The CVAC leads a prayer before and after each group session; however, it notifies beneficiaries that prayer is a voluntary activity and is not part of the program. Based on the information collected during its onsite visit, the OCR found no evidence that federal

³ The CVAC is led by one individual who holds the title of chaplain and executive director. During an interview with him, he intimated to the OCR that, while the CVAC may have selected him using criteria based in part on religion, any such criteria were not relevant because he was hired before the organization received VOCA Victim Assistance funds.

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resources were being used for inherently religious purposes. 28 C.F.R. § 38.2(b)(1).

II. Recommendations

The CJCC already has in place a number of procedures for monitoring the civil rights compliance of its subrecipients. To strengthen the Council's monitoring efforts and its inclusion of faith-based organizations in the grant funding process, the OCR offers the following four recommendations: (1) conduct onsite monitoring of all subrecipients and use a federal civil rights laws compliance checklist, (2) refine its training to subrecipients regarding their obligations to comply with federal civil rights laws, (3) refine its complaint procedures, and (4) allow subrecipients to demonstrate nonprofit status by any of the means identified in the DOJ's Equal Treatment Regulations.

A. Conduct Onsite Monitoring of All Subrecipients and Use Federal Civil Rights Laws Compliance Checklist

As part of its responsibility to monitor the compliance of subrecipients with applicable federal civil rights laws, the CJCC should ensure that it conducts periodic onsite monitoring of all DOJ subrecipients. Going forward, the OCR also recommends that the Council ensure that staff members and contractors prepare a uniform summary detailing their site visit efforts, including data fields for the date of each visit, information about whether the subrecipient is in compliance with pertinent grant requirements, deadlines for completing any compliance recommendations, and the next scheduled review. The CJCC also should continue to conduct desk reviews to evaluate compliance areas that may not require onsite visits.

While the OCR commends the Council for using a questionnaire to obtain information about whether a subrecipient is in compliance with certain federal civil rights obligations, the OCR recommends that the Council utilize a separate federal civil rights laws compliance checklist that comprehensively evaluates the various civil rights requirements that apply to recipients of federal funding (e.g., whether the subrecipient has an EEOP on file or has sent one to the OCR for review; whether the subrecipient has findings of discrimination to report to the CJCC or the OCR; whether the subrecipient has posted nondiscrimination notices as required by section 504 of the Rehabilitation Act; whether the subrecipient has a grievance procedure and a designated coordinator as required by section 504 of the Rehabilitation Act; and whether the subrecipient is taking reasonable steps to provide meaningful access to programs and activities for LEP persons). Additionally, the checklist should include specific questions that evaluate whether the subrecipient is complying with the DOJ's Equal Treatment Regulations, including the prohibitions against using federal funds to engage in inherently religious activities and discriminating against program beneficiaries on the basis of religion. In an effort to assist the CJCC in refining its checklist, the OCR has prepared a sample Federal Civil Rights Compliance Checklist, which is enclosed for the Council's review.

B. Refine Training to Subrecipients Regarding Their Obligations to Comply with Federal Civil Rights Laws

While the CJCC is making a concerted effort to provide training to applicants and subrecipients, it should refine its training program to ensure that subrecipients in all DOJ-funded programs receive training about their obligations under applicable federal civil rights laws, such as to provide services to LEP individuals and to have procedures in place to receive and evaluate complaints alleging discrimination from employees and beneficiaries. The OCR is available to provide the Council with technical assistance in expanding its civil rights programs.

C. Refine Complaint Procedures

The CJCC has procedures in place regarding its response to discrimination complaints from its own employees, and the GCEO and the EEOC provide forums for resolving employment discrimination complaints filed by Council and certain subrecipient employees. Nonetheless, the CJCC has an obligation as a recipient of federal financial assistance to have in place a policy that comprehensively addresses how it responds to employment and services discrimination complaints that it receives from the employees and beneficiaries of subrecipients. Specifically, it should ensure that it has a policy for addressing discrimination complaints that includes at a minimum the following elements:

- designating a coordinator who is responsible for overseeing the complaint process;
- notifying employees of the CJCC, beneficiaries, and subrecipients of prohibited discrimination in funded programs and activities and the Council's policy and procedures for handling discrimination complaints;
- establishing written procedures for receiving discrimination complaints from subrecipient employees and beneficiaries;
- referring each complaint to the appropriate agency for investigation and resolution, such as the GCEO or the EEOC; or referring the complaint to the OCR, which will review the complaint and work with the CJCC to resolve it;
- notifying the OCR in writing when the CJCC refers a discrimination complaint to another agency or when the Council investigates the complaint internally; and
- training CJCC program staff on their responsibility to refer discrimination complaints or potential discrimination issues to the Council's complaint coordinator for processing as soon as the alleged discrimination comes to their attention.

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Information about the applicable laws, complaint forms, and the investigative process can be found at <http://www.ojp.usdoj.gov/about/offices/ocr.htm>.

D. Allow Subrecipients to Demonstrate Nonprofit Status by Any of the Means Identified in the DOJ's Equal Treatment Regulations

The CJCC appears to require nonprofit organizations to obtain federal tax exempt status under 26 U.S.C. § 501(c)(3) to be eligible for certain DOJ funding. Unless 501(c)(3) status is required under the particular grant program (e.g., programs funded under the federal Juvenile Justice and Delinquency Prevention Act), the Council should be mindful that applicants can also demonstrate nonprofit status by any of the following means identified in the DOJ's Equal Treatment Regulations: (1) proof that the Internal Revenue Service recognizes the organization as being tax exempt under 501(c)(3) of the Internal Revenue Code; (2) a statement from a state taxing body or state secretary of state certifying that the organization is a nonprofit organization and that no part of the organization's net earnings may benefit any private shareholder or individual; (3) a certified copy of a certificate of incorporation or similar document establishing nonprofit status; and (4) any of the above, if it applies to a state or national parent organization, with a statement by the state or national parent organization that the applicant is a local nonprofit affiliate. 28 C.F.R. § 38.1(g).

III. Conclusion

We find that the CJCC should implement the OCR's recommendations to ensure substantial compliance with the federal civil rights laws that the OCR enforces. On request, the OCR is available to provide technical assistance to the Council in addressing the concerns raised in this Report. **Immediately upon receipt of this letter, we ask that a responsible CJCC official contact Attorney Advisor Christopher Zubowicz to develop a timeline and goals for implementing the OCR's recommendations.**

Thank you for your cooperation and the assistance of your staff during the compliance review process. If you have any questions, please contact Mr. Zubowicz at 202.305.9012.

Sincerely,

/S/

Michael L. Alston
Director

Enclosure