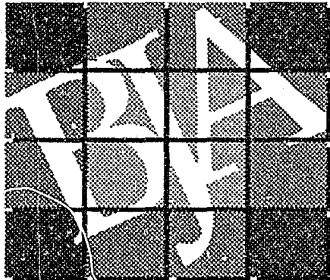


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Bureau of Justice Assistance



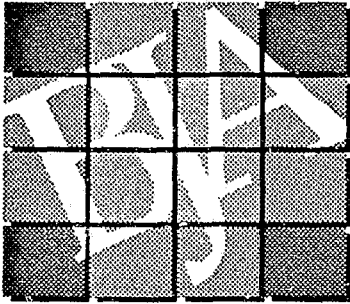
Bureau of Justice Assistance

**The Edward Byrne
Memorial State and
Local Law
Enforcement
Assistance Program**

**FY 1991 Formula Grant Program
Guidance and Application Kit**

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Bureau of Justice Assistance

The Edward Byrne Memorial State and Local Law Enforcement Assistance Programs

FY 1991 Formula Grant Program Guidance and Application Kit

U.S. Department of Justice
National Institute of Justice

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April 1991

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

U.S. Department of Justice

Dick Thornburgh Attorney General

Office of Justice Programs

Jimmy Gurule' Assistant Attorney General

Bureau of Justice Assistance

Gerald (Jerry) P. Regier Acting Director

Elliott A. Brown Deputy Director

James C. Swain Director, Policy Development
and Management Division

Curtis H. Straub II Director, State and Local
Assistance Division

Pamela Swain Director, Discretionary
Grant Programs Division

William F. Powers Director, Special Programs
Division

Bureau of Justice Assistance
633 Indiana Avenue, N.W., Washington, D.C. 20531
(202) 514-6278

The Assistant Attorney General, Office of Justice Programs, coordinates the activities of the following program Offices and Bureaus: Bureau of Justice Assistance, National Institute of Justice, Bureau of Justice Statistics, Office of Juvenile Justice and Delinquency Prevention, and Office for Victims of Crime.

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Introduction

This document was prepared by the Bureau of Justice Assistance (BJA), Office of Justice Programs (OJP), to establish program policy and administrative guidance to implement the Edward Byrne Memorial State and Local Law Enforcement Assistance

Programs authorized by the Anti-Drug Abuse Act of 1988, Pub. L. 100-690, Title VI, Subtitle C, see 102 Stat. 4329-4335, 42 U.S.C. 3750-3758. This document also describes procedures and requirements to apply for and administer formula grant funds.

Key Program Elements

The Anti-Drug Abuse Act provides financial and technical resources to state and local units of government, as well as the Federal government, to engage them in the nation's fight against drugs. The first National Drug Control Strategy was announced by President Bush on September 5, 1989. It, along with the second strategy released in January 1990, sets priorities and makes recommendations for action by Federal, state and local governments and communities to reduce drug use in this country. Key program and implementation elements from the Act and the National Strategy provide guidance to the states in their drug control efforts.

Drug Testing

Drug testing has been shown to be an effective tool in identifying drug users and discouraging use.

Programs should be implemented within the state criminal justice systems to test defendants/offenders for drugs including arrestees, prisoners, parolees and those out on bail and to use the test results to make release decisions, set conditions of release, monitor drug use while under court supervision and make referrals to drug treatment. A description of the state's drug testing program should be included as part of the state strategy.

Street-level Enforcement

The National Drug Control Strategy identifies street-level drug enforcement as a "crucial component" of an effective drug strategy. It states that "street-level enforcement remains the best tool we have for restoring a sense of order and civility to neighborhoods where drugs -- with all their attendant crime, violence and decay -- have wrought havoc. The first priority of local drug enforcement, then, is to

employ effective police methods capable of fighting drugs at the neighborhood level." States are encouraged to make street-level enforcement an important component of their strategy.

User Accountability

The criminal justice system has an important role to play in reducing the demand for drugs by holding drug users as well as dealers accountable for their actions. User accountability programs should be developed and implemented, including vigorous prosecution, use of fines for misdemeanor drug offenses and increased use of civil penalties (e.g., the loss of professional and drivers licenses, fines and community service).

Intermediate Sanctions for Non-violent Drug Offenders

Many drug offenders receive inadequate, if any, supervision. Alternative sentencing programs, including house arrest and boot camp programs, should be developed to hold non-violent drug offenders accountable for their actions.

Planning and Designing Judicial and Correctional Facilities

New judicial and correctional facilities are needed in many states to expedite drug cases and to punish drug traffickers and violent and repeat drug offenders. Formula Funds may be used for construction of penal or correctional institutions. Priority also should be given to planning and designing new judicial and correctional institutions.

Drug-Free Workplace

Clearly defined policies against drug use in the workplace and employee assistance programs for workers with drug problems provide an effective means of reducing drug use in the American

workforce. All grantees of Federal funds, other than an individual, must provide a drug-free workplace in accordance with Title V, Sec. 5153 of the Anti-Drug Abuse Act of 1988 as defined by 28 CFR Part 67, Subpart F.

Purpose of Formula Grant Funds

The purpose of the Edward Byrne Memorial State and Local Law Enforcement Assistance Program is to assist states and units of local government in carrying out specific programs which offer a high probability of improving the functioning of the criminal justice system. Special emphasis is placed on nationwide and multi-jurisdictional projects and projects that advance national drug control priorities. Programs and projects should be developed to assist multi-jurisdictional and multi-state organizations in the drug control problem and to support national drug control priorities. Sec. 501 (a) of the Act.

In accordance with Sec. 501 (b) of the Act, the states may award formula grant funds to state agencies and

units of local government for the purpose of enforcing state and local laws which establish offenses similar to offenses established in the Controlled Substances Act (21 U.S.C. 801 et seq.) and to improve the functioning of the criminal justice system, with emphasis on violent crime and serious offenders. Grants may provide personnel, equipment, training, technical assistance and information systems for the more widespread apprehension, prosecution, adjudication and detention and rehabilitation of persons who violate such laws, and to assist the victims of such crimes (other than compensation). The authorized program areas are described in Appendix A. Programs that directly relate to drug control should be a priority for the use of formula grant funds.

Allocation of Funds to the States

Eligible Applicants

State Government

All states are eligible to apply for and receive formula grants. Sec. 502 of the Act. State, as defined in the statute, means any state of the United States and includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands and American Samoa. Sec. 901 (a) (2) of the Act.

Units of Local Government

Units of local government are eligible to receive subgrants from a participating state. Units of local government means any city, county, town, township, borough, parish, village or other general purpose political subdivision of a state and includes Indian tribes which perform law enforcement functions as

determined by the Secretary of the Interior. Sec. 901 (a) (3) of the Act.

Allocation

Sec. 506 (a) of the Act provides that at least 80 percent of the total amount appropriated for this part shall be allocated for formula grants. The formula grant allocation is the balance of the appropriation remaining after a set aside for discretionary programs of 20 percent of the total appropriation or \$50,000,000, whichever is less. Each participating state shall receive a base amount of 0.25 percent of the total formula grant allocation or \$500,000, whichever is greater. The remaining funds are allocated to each state on the basis of the state's relative share of total U. S. population. The FY 1991 allocations by state are found in Appendix B.

For the purposes of this Section, American Samoa and the Northern Mariana Islands shall be considered

45-Day Rule for Review of Local Government Applications

The state must make a decision on each complete application made by a local unit of government, or a combination of units of local government, within 45 days of receipt. An application shall be deemed approved by the state unless the state informs the applicant in writing within 45 days of the specific reasons for disapproval. The state shall not finally disapprove any application without first affording the applicant reasonable notice and opportunity for reconsideration. Sec. 508 (a) of the Act. The state may establish program priorities for submission of the applications based on their strategy and criteria. The failure of an application to conform to the program priorities or to meet the criteria may constitute reason for disapproval.

45-Day Rule for Making Funds Available to Local Units of Government

Within 45 days following BJA's approval of a state's formula grant application and notice to and acceptance of conditions by the state, the state shall make funds available to local units of government, or combinations thereof, whose applications have been submitted to, approved and awarded by the state. The Director of BJA shall have the authority to waive the 45-day requirement upon a finding that the state cannot satisfy the requirement consistent with state statutes. Sec. 508 (b) of the Act.

Matching Requirements

FY 1991 Federal funds may be used to pay up to 75 percent of the cost of a program or project.

Cash Match

The non-Federal share of expenditures shall be paid in cash. Sec. 504 (e) of the Act. Funds required to pay the non-Federal portion of the cost of each program and project for which a grant is made shall be in addition to funds that would otherwise be made available for law enforcement by the recipients of the grant funds. Sec. 503 (a) (3) of the Act.

Waiver of Matching Requirement for Indian Tribes

Funds subgranted to an Indian tribe which performs law enforcement functions (as determined by the

Secretary of the Interior) shall be used to pay 100 percent of the cost of a program or project. Sec. 504 (a) (2) of the Act.

Use of Proceeds Received under the Equitable Sharing Program as Match

State and local units of government may use cash they received under the equitable sharing program to cover the non-Federal portion of costs of any BJA project or program.

Use of Proceeds from Asset Forfeitures as Match

A state or local unit of government may use forfeiture funds as match if state and local statutes allow for the collection and retention of such funds.

Administrative Costs

Given the increase in the formula grant allocation over previous years, states are encouraged to limit administrative costs to no more than five percent of their allocation. However, the Act allows up to 10 percent of grant funds to be used to pay for costs incurred in administering the formula grant program. Funds which are not used for administration of the program can be used to implement drug control efforts. Use of more than five percent of the funds for administration of the program should be justified in the formula grant application. There shall be a presumption that funds specifically designated for preparation of the application for funds, including the drug strategy and administration of the award, are being used for the benefit of both state and local agencies and are expended in accordance with the variable pass-through requirement.

Period of Project Support

Projects funded under the formula program may be funded for a maximum of four years (48 months) in the aggregate, including any period occurring before the effective date of this Act. The limitation on funding applies to all projects, with the exception of multi-jurisdictional drug task forces, which have received four years of formula and/or discretionary grant funding under the Omnibus Crime Control and Safe Streets Act as amended, including the Justice Assistance and the State and Local Law Enforcement Assistance programs or combination of programs. Sec. 504 (f) of the Act. The 4-year grant limitation for multi-jurisdictional drug task forces has been waived for FY 1991.

- c. The amount paid, how the person was paid and the activity for which the person was paid, is to be paid or is reasonably expected to be paid
- 3. Copies of certifications and disclosures of lobbying activities, as outlined above, received from subgrantees, contractors or subcontractors under a grant, cooperative agreement or contract for Federal subawards exceeding \$100,000.
- o A subgrantee, contractor or subcontractor under a grant, cooperative agreement or contract, who requests or receives Federal funds exceeding \$100,000 is required to file a written declaration, as described above, with the person making their award.
- o A declaration must be filed at the end of each calendar quarter in which there occurs any event that materially affects (\$25,000 or more) the accuracy of the information contained in any declaration previously filed for a grant, cooperative agreement, contract, subgrant or subcontract. These declarations shall be filed as follows:
 - 1. Grant, cooperative agreement and contract recipients shall send their amended declarations and copies of amended declarations for Federal subawards to the Office of the Comptroller no later than 30 days after the end of each calendar quarter.
 - 2. Subgrantees, contractors or subcontractors under a grant, cooperative agreement or contract shall send their amended declarations each quarter to the person who made their subaward.
- o Declarations are also required for extensions, continuations, renewals, amendments and modifications exceeding \$100,000 or resulting in the award exceeding \$100,000.

Disclosure of Federal Participation

Section 8136 of the Department of Defense Appropriations Act (Stevens Amendment) enacted in October, 1988, requires that "when issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal money, all

grantees receiving Federal funds, including but not limited to state and local governments, shall clearly state (1) the percentage of the total cost of the program or project which will be financed with Federal money, and (2) the dollar amount of Federal funds for the project or program".

New Assurance Related to Reporting of Convictions to the Immigration and Naturalization Service

Section 507 of the Immigration Act of 1990 amended Section 503(a) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to require that a new assurance be added to the application for formula grant funds, as follows:

An assurance that the state has established a plan under which the state will provide without fee to the Immigration and Naturalization Service, within 30 days of the date of their conviction, the certified records of conviction of aliens who have been convicted of violating the criminal laws of the state.

This provision is effective immediately and applies to formula grants for fiscal years beginning with FY 1991, for which applications are due January 4, 1991. However, because there has been inadequate time for Bureau of Justice Assistance (BJA) and the Immigration and Naturalization Service (INS) to respond fully to this provision before that due date, states must include an assurance in their FY 1991 grant application that they will provide a completed plan, in accordance with BJA guidance, within 120 days after the issuance of that guidance. The modified assurance is included as assurance number 11 in the list of Certified Assurances FY 1991 found in Appendix C. BJA, in consultation with INS, will provide states with guidance on the implementation of this provision.

Civil Rights Requirements

No person in any state shall on the grounds of race, color, religion, national origin or sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under or denied employment in connection with any program or activity funded in whole or in part with funds made available under this title. Sec. 809 (c) (1) of the Act. Recipients of funds under the Act are also subject to

or in part, or after reasonable notice and opportunity for a hearing, terminate, in whole or in part, funding for a state that implements programs or projects which fail to conform to the requirements or statutory objectives of the Act or which fail to comply substantially with the Act, the program or financial regulations and policies or the terms and conditions of its grant award. Hearing and appeal procedures for termination actions are set forth in Department of Justice regulations at 28 CFR Part 18.

Changes Which Take Effect After FY 1991

The Crime Control Act of 1990 made at least two substantial amendments to the Omnibus Crime Control and Safe Streets Act of 1968, affecting the

formula grant program in the future. These provisions do not take effect in FY 1991, but states should be aware of them for future planning.

- o Beginning in FY 1992, Congress expects each state to allocate not less than five percent of its total formula grant award for the purpose of improving its criminal justice records.
- o Beginning in FY 1994, each state should have in place a statute requiring, at the request of the crime victim, testing for the presence of human immunodeficiency virus (HIV) in persons convicted under state law of a sexual act as defined in 18 U.S.C. § 2245. States not having such a statute will receive only 90 percent of the allocated formula grant funds.

Allowable/Unallowable Expenses

General Salaries and Personnel Costs

Payment of personnel costs with grant funds is permitted if the costs are a part of an approved program or project. Sec. 501 (b) of the Act.

Equipment and Hardware

Equipment and hardware expenses which are part of an approved program or project are allowable expenses. Sec. 501 (b) of the Act.

Expenditures for Purchase of Evidence and Information

Formula grant funds which may be used for confidential expenditures are defined as funds used for the purchase of services, purchase of physical evidence and purchase of information including buy money, flash rolls, etc. Guidelines related to confidential expenditures are found in OJP M7100.1, Financial and Administrative Guide for Grants. BJA has delegated to the State Office which administers the formula grant program authority to approve the allocation, use and expenditure of formula subgrant funds for confidential expenditures. Thus, the use of the term "Grantor Agency" as used in M7100.1, means the State Office for subgrants. All state applications

containing projects which will utilize funds for confidential expenditures must contain an assurance that the guidelines found in M7100.1, will be followed.

Construction

Use of formula grant funds for construction projects is prohibited except when facilities to be constructed are penal or correctional institutions. Sec. 505 (c) of the Act. Correctional institutions include prisons, jails, juvenile correctional institutions and residential community corrections facilities.

Land Acquisition

Acquisition of land with grant funds is prohibited. Sec. 505 (c) of the Act.

Evaluation Costs

Expenses associated with conducting evaluations of programs/projects funded with formula grant funds are allowable expenses and may be paid with administrative funds, program funds or a combination of both. Sec. 504 (d) of the Act.

Applicants are encouraged to contact their state's SPOC as soon as possible to inform them of the prospective application and to receive instructions regarding the state process.

Audit Requirements

Each grantee accepting BJA formula grant funds must agree to comply with the requirements of the OMB Circular A-128. Applications must include:

- o Date of the last audit
- o Dates covered by the last audit
- o Date of the next audit
- o Dates to be covered by the next audit
- o Date next audit will be forwarded to cognizant audit agency
- o Designated Federal cognizant agency

Appendix C contains a suggested format for submitting this information.

Civil Rights Requirements

In addition to the nondiscrimination and Equal Employment Opportunity Plan (EEOP) requirements listed in the Certified Assurances, applicants must include in their application:

- o Civil Rights contact person
- o Title and address of contact person
- o Telephone number of contact person
- o Number of persons employed by the organizational unit responsible for administering the grant

The contact person will serve as liaison with the Office for Civil Rights, OJP. Appendix C contains a suggested format for submitting the required information.

Applicants who previously applied for and received block or formula grant funding from BJA and have an approved EEOP, need only submit a statistical update of the previously approved plan. The statistical update shall be for the preceding year. At a minimum, the update shall contain the requirements found at 28 CFR 42.304 (a), (b), (c) and (d), along with a narrative statement describing the progress made during the preceding year, remedial action(s) taken and the status and issues of all discrimination complaints filed against the applicant during that period.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, Section 85.510, Participants' Responsibilities, requires the grantee to obtain from each subgrantee applicant a Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion. Appendix C contains a copy of the Direct Recipient form which should be submitted by the state as part of the application. The Sub-Recipient form, also found in Appendix C, should be submitted to the State Office as part of each subgrant application and should be kept on file by the State Office.

Certification Regarding Drug-Free Workplace Requirements

Title V, Sec. 5153 of the Anti-Drug Abuse Act of 1988 requires all grantees of Federal funds, other than an individual, to certify to the granting agency that it will provide a drug free workplace. Appendix C contains the certification form. The drug-free workplace requirement applies to the direct grantees (i.e., State Office) and all recipient instrumentalities of the state (e.g., Corrections Departments).

Disclosure of Lobbying Activities

Section 319 of Public Law 101-121 requires each person who requests or receives a Federal contract, grant, cooperative agreement, loan or a Federal commitment to insure or guarantee a loan, to disclose lobbying. Appendix C contains a "Certification Regarding Lobbying" form which must be included with all applications and a "Disclosure of Lobbying Activities" form which must be included with the application if lobbying has taken place relative to the request.

State Legislature Review

As stated in the Act and the Certified Assurances, the application must be submitted for review to the state legislature or its designated body. The application must be submitted to the state legislature no later than the time of submission to BJA. BJA will not approve the use of funds until the state legislature or its designated body has reviewed the application or the 30-day review period has passed. A copy of the document which transmits the application to the state legislature should be included in the application.

of the program, the statutory purpose it addresses, program objectives, the critical elements in the program design, the indicators which will be used to assess performance and how the program contributes to the implementation of the statewide strategy.

Federal, State and Local Participation in Strategy Development

Section 503 (a) (1) of the Act requires that "the strategy shall be prepared after consultation with state and local officials with emphasis on those whose duty it is to enforce drug and criminal laws and direct the administration of justice." It further requires that the strategy contain "a definition and analysis of the drug and violent crime problem in the state, and an analysis of the problems in each of the counties and municipalities with major drug and violent crime problems." Section 506 (b)(2) requires that "in distributing funds received under this part among urban, rural and suburban units of local government and combinations thereof, the state shall give priority to those jurisdictions with the greatest need."

It is essential that Federal, state and local law enforcement, prosecutors, and other criminal justice personnel participate closely in developing the statewide drug strategy. State planning agencies should provide operational agencies with an opportunity to make substantive contributions throughout the strategy development process, including the initial stages. State planning agencies should not draft the strategy and then submit the document for review thereby depriving operational agencies from making substantive contributions at the beginning of the strategy development process.

States are also encouraged to contact and work with the Law Enforcement Coordinating Committee (LECC) of the United States Attorney(s) within the state. The LECC, which brings together Federal, state and local law enforcement and prosecutors, can

serve as an important resource in the strategy development process.

Further, after completion, the applicant is encouraged to send a copy of the statewide strategy or a summary of the strategy to local governments, major operational agencies and LECCs. This should include an analysis of the areas of greatest need, the allocation of funds and the impact of the state strategy on areas with major drug problems.

Drug and Violent Crime Policy Board

Each state is strongly encouraged to establish a Drug and Violent Crime Policy Board to serve as a forum for communication and a structure for coordination. The Board should be responsible for the development of the state strategy and should facilitate coordination within the state. The Board members should include state and local officials and operational level representatives from all components of the criminal justice system (e.g., law enforcement, prosecution, courts and corrections), education and treatment. The United States Attorney or the Chair of the Law Enforcement Coordinating Committee should also be included on the Board to facilitate coordination with Federal drug control efforts. Federal employees who serve as members of the Board should be non-voting members.

The Board should be appointed by the Governor to establish its credibility as the Policy Board within the state and the importance of its mission. If a Board is established, the application for formula grant funds should include a description of the Board's roles, responsibilities, and activities and a list of Board members, their agency and level of government and the criminal justice function and/or other discipline (e.g., education or drug treatment) they represent. Payment of the costs associated with the operation of the Drug and Violent Crime Policy Board is an allowable use for the administrative funds.

Review of State Applications

45-Day Rule for BJA Review of Applications

BJA must approve or disapprove applications or amendments within 45 days of official receipt. Sec.

505 (b) of the Act. The application or amendment shall be considered approved unless BJA informs the applicant in writing of specific reasons for disapproval prior to the expiration of the 45-day period. Applications which are incomplete, as determined by

more or less effective than other programs as a means to address the drug problem. The states should also assess the impact of program and project activities on the needs identified in the state strategy.

Evaluation Capability at the State Level

BJA recommends that an evaluation capability be established at the state level to coordinate and economize evaluation activities. This could be achieved by: expanding the functions of the state's statistical analysis center (SAC) if it contains evaluation expertise; creating an evaluation unit within the State Office; or by contracting for evaluation services.

The establishment of a state level capability will facilitate evaluations involving assessments of more than one project. Such evaluations require collecting consistent information about projects as well as making comparisons among projects. Evaluations contemplating rigorous controls, such as experimental or quasi-experimental designs, require the assistance of trained research professionals. States may find it advisable to position such research professionals at the state level rather than at the project level.

Annual Project Reports

Annual Project Report Forms were developed by BJA for each of the legislatively authorized purpose areas to collect information on activities undertaken and the results achieved for each project funded. The information is used by BJA for program management and to prepare an annual report to Congress. The information should also be useful to the states in identifying effective programs and assessing the impact of project activities on the goals identified in the state strategy. If a state determines that additional information is required from their projects, they may supplement the Annual Project Report Forms for use within their state. For many projects, analysis of the data contained in the Annual Project Reports will be relied upon to meet the evaluation requirements of the Act.

Evaluations of Selected Programs or Projects

The states may wish to conduct more intensive evaluations of selected programs or projects, and are encouraged to do so. States may choose from among

many different assessment methods in designing their evaluation efforts. For studies of single projects, they may choose to employ such methodologies as: case studies; before and after or other time-series studies; tracking of specified cohorts (e.g., suspects, defendants or offenders) to learn how a particular project affects the system's response to the respective cohort; or any of several other available methodologies. They may choose more rigorously designed evaluations, including controlled experiments and quasi-experimental statistical analyses.

The choice of evaluation activities to be undertaken by the states should reflect some consideration of the strategic importance of the projects and programs to be assessed. States may concentrate their evaluation resources on those programs that constitute major components of the state's strategy. They may also choose to focus their resources on programs or projects that test new concepts or practices. Generally, non-experimental methods can be useful for: exploratory analyses of how and why particular interventions work or do not work; for developing hypotheses about the causal relationships and outcomes; and for developing measurements of activities and outcomes. Experimental designs are called for when strict tests of hypotheses are needed. The guidelines developed by BJA/NIJ discuss these different methods, and provide criteria for determining which types are appropriate. BJA and NIJ also conduct evaluations of selected programs or projects being implemented in the states. These activities will be coordinated with or conducted in cooperation with the State Offices.

Integration of Evaluation Results Into the Strategy Development Process

Program and project activities should be evaluated to provide state and local officials with information on the effectiveness of the activities and to assist decision makers in developing and modifying the state strategy. The strategy development process requires a definition of the drug and violent crime problems in the state and the resource needs to address the problem. The strategy that is developed to address the problem and resource needs should be continually reviewed and assessed to determine if it is the most effective strategy. The results of the evaluations should be used to modify and improve the strategy to more effectively address the problems in the state.

The report required by the Act will contain information which will be useful for making informed decisions regarding drug control and criminal justice policy and strategies at the Federal, state and local levels. In order to encourage the states to use this information for planning and program development, the annual report will be incorporated into the strategy development process as discussed in Appendix D, which includes a recommended format

for development of the statewide strategy. The states will fulfill the legislative requirement for an annual report by providing to BJA copies of the Annual Project Reports and by following the recommended format for the development of a statewide strategy as outlined in Appendix D. Copies of reports on program activities or impact prepared within the state should be submitted to BJA.

Appendix A

Authorized Program Areas

Authorized Program Areas

1. Demand reduction education programs in which law enforcement officers participate
2. Multi-jurisdictional task force programs that integrate Federal, state and local drug law enforcement agencies and prosecutors for the purpose of enhancing interagency coordination and intelligence and facilitating multi-jurisdictional investigations
3. Programs designed to target the domestic sources of controlled and illegal substances, such as precursor chemicals, diverted pharmaceuticals, clandestine laboratories and cannabis cultivations
4. Providing community and neighborhood programs that assist citizens in preventing and controlling crime, including special programs that address the problems of crimes committed against the elderly and special programs for rural jurisdictions
5. Disrupting illicit commerce in stolen goods and property
6. Improving the investigation and prosecution of white-collar crime, organized crime, public corruption crimes and fraud against the government with priority attention to cases involving drug-related official corruption
7.
 - a. Improving the operational effectiveness of law enforcement through the use of crime analysis techniques, street sales enforcement, schoolyard violator programs, gang-related and low-income housing drug control programs
 - b. Developing and implementing antiterrorism plans for deep draft ports, international airports and other important facilities
8. Career criminal prosecution programs, including the development of model drug control legislation
9. Financial investigative programs that target the identification of money laundering operations and assets obtained through illegal drug trafficking, including the development of proposed model legislation, financial investigative training and financial information sharing systems
10. Improving the operational effectiveness of the court process by expanding prosecutorial, defender and judicial resources and implementing court delay reduction programs.
11. Programs designed to provide additional public correctional resources and improve the corrections system, including treatment in prisons and jails, intensive supervision programs and long-range corrections and sentencing strategies
12. Providing prison industry projects designed to place inmates in a realistic working and training environment which will enable them to acquire marketable skills and to make financial payments for restitution to their victims, for support of their own families and for support of themselves in the institution
13. Providing programs which identify and meet the treatment needs of adult and juvenile drug-dependent and alcohol-dependent offenders
14. Developing and implementing programs which provide assistance to jurors and witnesses and assistance (other than compensation) to victims of crime
15.
 - a. Developing programs to improve drug control technology, such as pretrial drug testing programs, programs which provide for the identification, assessment, referral to treatment, case management and monitoring of drug-dependent offenders and enhancement of state and local forensic laboratories.
 - b. Criminal justice information systems to assist law enforcement, prosecution, courts and corrections organizations (including automated fingerprint identification systems)
16. Innovative programs which demonstrate new and different approaches to enforcement, prosecution and adjudication of drug offenses and other serious crimes
17. Addressing the problems of drug trafficking and the illegal manufacture of controlled substances in public housing

Appendix B

Allocation of Funds

Formula Grant Program Allocation of Funds

<u>State</u>	<u>FY 1991 State Allocation</u>	<u>Percentage to be Passed through to Local Jurisdictions</u>
Alabama	7,023,000	51.28
Alaska	1,821,000	24.63
Arizona	6,209,000	61.23
Arkansas	4,543,000	57.78
California	43,161,000	64.37
Colorado	5,863,000	64.03
Connecticut	5,750,000	44.76
Delaware	2,032,000	28.47
District of Columbia	1,933,000	100.00
Florida	19,414,000	65.13
Georgia	10,381,000	58.16
Hawaii	2,668,000	47.09
Idaho	2,526,000	62.82
Illinois	17,946,000	66.51
Indiana	9,160,000	58.91
Iowa	5,172,000	46.27
Kansas	4,698,000	54.58
Kentucky	6,457,000	30.33
Louisiana	7,406,000	55.09
Maine	2,828,000	45.98
Maryland	7,858,000	43.14
Massachusetts	9,624,000	44.28
Michigan	14,491,000	57.43
Minnesota	7,364,000	70.93
Mississippi	4,855,000	57.17
Missouri	8,531,000	58.08
Montana	2,225,000	58.56

Appendix C

Application Forms and Assurances

APPLICATION FOR FEDERAL ASSISTANCE

1. TYPE OF SUBMISSION: <i>Application</i> <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED 		Applicant Identifier	
<i>Preapplication</i> <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		3. DATE RECEIVED BY STATE 		State Application Identifier	
		4. DATE RECEIVED BY FEDERAL AGENCY 		Federal Identifier	

5. APPLICANT INFORMATION			
Legal Name:		Organizational Unit:	
Address (give city, county, state, and zip code):		Name and telephone number of the person to be contacted on matters involving this application (give area code)	
6. EMPLOYER IDENTIFICATION NUMBER (EIN): <div style="border: 1px solid black; width: 100px; height: 20px; margin: 5px 0;"></div>		7. TYPE OF APPLICANT: (enter appropriate letter in box) <input type="checkbox"/> <div style="display: flex; justify-content: space-between; font-size: small;"> <div> A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District </div> <div> H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify): _____ </div> </div>	
8. TYPE OF APPLICATION: <div style="display: flex; justify-content: space-around; font-size: small;"> <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision </div> If Revision, enter appropriate letter(s) in box(es): <input type="checkbox"/> <input type="checkbox"/> <div style="display: flex; justify-content: space-around; font-size: x-small;"> <div>A. Increase Award</div> <div>B. Decrease Award</div> <div>C. Increase Duration</div> <div>D. Decrease Duration</div> <div>Other (specify): _____</div> </div>		9. NAME OF FEDERAL AGENCY:	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: <div style="border: 1px solid black; width: 100px; height: 20px; margin: 5px 0;"></div>		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: 	
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.): 			

13. PROPOSED PROJECT:		14. CONGRESSIONAL DISTRICTS OF:	
Start Date	Ending Date	a. Applicant	b. Project

15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$.00	a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE _____ b. NO. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
b. Applicant	\$.00		
c. State	\$.00		
d. Local	\$.00		
e. Other	\$.00		
f. Program Income	\$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes," attach an explanation. <input type="checkbox"/> No	
g. TOTAL	\$.00		

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED		
a. Typed Name of Authorized Representative	b. Title	c. Telephone number
d. Signature of Authorized Representative		e. Date Signed



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**Certification Regarding
Debarment, Suspension, and Other Responsibility Matters
Primary Covered Transactions
(Direct Recipient)**

Application Number

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative

Signature

Date

Name and Address of Organization



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions
(Sub-Recipient)**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 28 CFR Part 67, Section 67.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 *Federal Register* (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative

Signature

Date

Name of Organization

Address of Organization



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

Certification Regarding Drug-Free Workplace Requirements Grantees Other Than Individuals

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 28 CFR Part 67, Subpart F. The regulations, published in the January 31, 1989 *Federal Register*, require certification by grantees, prior to award, that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the agency determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or governmentwide suspension or debarment (see 28 CFR Part 67, Sections 67.615 and 67.620).

The grantee certifies that it will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about—
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee'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 employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- (e) Notifying the agency within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;
- (f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—
 - (1) Taking appropriate personnel action against such an employee, up to and including termination; or
 - (2) Requiring such employee to participate satisfactorily 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;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

Place(s) of Performance: The grantee shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant (street address, city, county, state, zip code):

Organization Name

Application Number

Name and Title of Authorized Representative

Signature

Date

CERTIFICATION REGARDING LOBBYING

Each person shall file the most current edition of this certification and disclosure form, if applicable, with each submission that initiates agency consideration of such person for an award of a Federal contract, grant, or cooperative agreement of \$100,000 or more; or Federal loan of \$150,000 or more.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.
- (2) If any non-Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall initial here _____ and complete and submit Standard Form # LLL, "Disclosure of Lobbying Activities", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers and that all subrecipients shall certify and disclose accordingly.

Name and Address of Organization

Name of Authorized Individual
Signature and date

Application No.

Name of OJP Agency

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: _____		5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, if known: _____
6. Federal Department/Agency: _____	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known: _____	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI): <div style="text-align: center; font-size: small;">(attach Continuation Sheet(s) SF-LLL-A, if necessary)</div>		b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): <div style="text-align: center; font-size: small;">(attach Continuation Sheet(s) SF-LLL-A, if necessary)</div>
11. Amount of Payment (check all that apply): \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned	13. Type of Payment (check all that apply): <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other; specify: _____	
12. Form of Payment (check all that apply): <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____		
14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11: <div style="text-align: center; font-size: small;">(attach Continuation Sheet(s) SF-LLL-A, if necessary)</div>		
15. Continuation Sheet(s) SF-LLL-A attached: <input type="checkbox"/> Yes <input type="checkbox"/> No		
16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only		Authorized for Local Reproduction Standard Form - LLL

DISCLOSURE OF LOBBYING ACTIVITIES
CONTINUATION SHEET

Approved by OA
0348-0046

Reporting Entity: _____ Page _____ of _____

Certified Assurances FY-1991

OMB No. 1121-0151
Expires 09-30-93

(The Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program) FY - 1991

(1) The applicant assures that Federal funds made available under this formula grant will not be used to supplant state or local funds but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.

(2) The applicant assures that matching funds required to pay the non-Federal portion of the cost of each program and project, for which grant funds are made available, shall be in addition to funds that would otherwise be made available for law enforcement by the recipients of grant funds and shall be provided on a project-by-project basis. (However, the state may request BJA to approve exceptions such as match on a program-by-program basis, statewide basis, unit of government basis or a combination of the above. The state must include any requests for approval of other than project-by-project match in its application to BJA.)

(3) The applicant assures that the state application, and any amendment thereto, has been submitted for review to the state legislature or its designated body. (For purposes of this section, such application or amendment shall be deemed to be reviewed if the state legislature, or its designated body, does not review such application or amendment within the 30-day period beginning on the date such application or amendment is submitted thereto.)

(4) The applicant assures that the state application and any amendment thereto are made public before submission to BJA and, to the extent provided under state law or established procedure, an opportunity to comment thereon was provided to citizens and to neighborhood and community groups

(5) The applicant assures that following the first fiscal year covered by an application and each fiscal year thereafter, a performance evaluation and assessment report will be submitted to BJA.

(6) The applicant assures that fund accounting, auditing, monitoring, evaluation procedures and

such records as BJA shall prescribe shall be provided to assure fiscal control, proper management and efficient disbursement of funds received.

(7) The applicant assures that it shall maintain such data and information and submit such reports in such form at such times and containing such data and information as BJA may reasonably require to administer the program.

(8) The applicant certifies that the programs contained in this application meet all the requirements of the Act and guidelines, that all information contained in the application is correct, that there has been appropriate coordination with affected agencies and that the applicant will comply with all provisions of the Act and all other applicable Federal laws, regulations and guidelines.

(9) The applicant assures that the state is undertaking initiatives to reduce, through the enactment of innovative penalties or increasing law enforcement efforts, the demand for controlled substances by holding accountable those who unlawfully possess or use such substances.

(10) The applicant assures that it will comply with Title V of the Anti-Drug Abuse Act of 1988 and regulations promulgated by the Federal Government to maintain a drug-free workplace.

(11) The applicant assures that within 120 days after issuance of guidance by BJA, the state will establish a plan under which the state will provide without fee to the Immigration and Naturalization Service, within 30 days of the date of their conviction, the certified records of conviction of aliens who have been convicted of violating the criminal laws of the state.

(12) The applicant assures that it will comply, and all its subgrantees and contractors will comply, with the nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973, as amended; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; the Department of Justice Nondiscrimination Regulations 28 CFR Part 42, Subparts C, D, E and G; and Executive Order 11246, as amended by Executive

**Audit Requirements
(Suggested Format)**

1. Date of the last audit: _____
2. Dates covered by last audit: _____
3. Date of the next audit: _____
4. Dates to be covered by the next audit: _____
5. Date next audit will be forwarded to cognizant
audit agency: _____
6. Designated Federal cognizant agency: _____

PUBLIC REPORTING BURDEN FOR THIS INSTRUMENT FOR COLLECTION OF INFORMATION IS ESTIMATED TO AVERAGE 10 MINUTES PER RESPONSE, INCLUDING THE TIME FOR REVIEWING INSTRUCTIONS, SEARCHING EXISTING DATA SOURCES, GATHERING AND MAINTAINING THE DATA NEEDED, AND COMPLETING AND REVIEWING THE COLLECTION OF INFORMATION. SEND COMMENTS REGARDING THIS BURDEN ESTIMATE OR ANY OTHER ASPECTS OF THIS COLLECTION OF INFORMATION, INCLUDING SUGGESTIONS FOR REDUCING THIS BURDEN, TO THE BUREAU OF JUSTICE ASSISTANCE; AND TO THE PUBLIC USE REPORTS PROJECT, 1121-0151, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, D.C. 20503.

Appendix D

Development of the Statewide Strategy

Development of the Statewide Strategy

The statewide strategies developed by the states will be instrumental in shaping and determining the success of the national war against drugs. The Edward Byrne Memorial State and Local Law Enforcement Assistance Program provides assistance to improve the functioning of the criminal justice system and to enhance the drug control capabilities at the state and local levels.

The strategy should serve as a comprehensive blueprint for the coordination of drug and violent crime control efforts and the targeting of Federal, state and local resources within the state. Scarce Federal law enforcement resources cannot be expected to address every aspect of the statewide strategy. Therefore, formula grant funds should be used in combination with funds available from other Federal agencies (e.g., State Justice Institute, Department of Health and Human Services, Department of Education and Department of Housing and Urban Development) together with state and local resources. A thorough analysis of the nature and extent of the problem will improve the state's ability to develop a response which results in the greatest impact on the problem.

Increased efforts by one component of the system should be considered in the larger context of its impact on the criminal justice system as a whole. For example, increased enforcement efforts will have little affect without adequate prosecution, adjudication,

detention and treatment resources to respond to the increased numbers of drug offenders.

The strategy should also address the problems and resource needs of the various jurisdictions throughout the state. A comprehensive effort is necessary to avoid simply displacing the problem from one jurisdiction to another due to the concentration of drug control efforts in one jurisdiction. It is essential that the state establish procedures which allow local jurisdictions the opportunity to provide input into the development of the strategy and the establishment of program priorities.

A thorough understanding of the problem also requires an analysis of the changing nature of the drug and crime problem. For example, if a new drug is emerging as the drug of preference in the state, control efforts and treatment services may require reorientation. It is important to identify areas within the state with major drug and violent crime problems, such as large cities, border areas, and rural areas where drugs are produced.

The strategy should include goals and objectives to address the problems and resource needs. A plan for implementation of the strategy should include the identification of programs, changes in legislation and administrative procedures and methods to improve coordination and cooperation.

Section I - Overview

Nature and Extent of the Problem

In order to develop an effective drug control and criminal justice system improvement strategy, the state must first define the nature and extent of the drug and violent crime problems in the state and analyze how efficiently and effectively the criminal justice system handles drug and violent crime cases. Definition of the problem should include:

- o An assessment of the types and amount of drugs available within the state. Price and purity of the drugs seized should be analyzed as indicators of drug availability

- o The level, types, methods and sources of drugs transported into or out of the state
- o A definition of the patterns of usage and crime associated with drug use
- o Changes in drug use and drug-related crime over time
- o Identification of drug distribution networks
- o An assessment of the role of crime organizations, ethnic groups, youth gangs and other groups in drug trafficking

- to respond to the drug trafficking problem in the area, thereby indicating a determination to respond aggressively to the problem
- o The extent to which drug-related activities in the area are having a harmful impact on other areas of the country
- o The extent to which a significant increase in allocation of resources is necessary to respond adequately to drug-related activities in the area

Section II

Description of the Strategy

Strategy for Addressing the Problem

The information and data gathered and analyzed in the definition of the problem, identification of current efforts and gaps in services, identification of jurisdictions of greatest need and analysis of the impact of the current strategy will serve as the basis for the strategy to address the drug problem in the state.

The statewide strategy should include specific and quantified objectives to address various aspects of the problem or problems being addressed. The clear statement of the objectives which the state will pursue facilitates the understanding of the strategy and the assignment of responsibility for implementation.

The "Quantified Two-and-Ten-Year Objectives" contained in the National Drug Control Strategy should serve as a guide and, whenever appropriate, should be incorporated into the statewide strategy.

The strategy should also identify the financial or personnel resources needed to meet the objectives, set priorities for implementing the objectives and allocating resources and establish time frames for accomplishing the objectives. The strategy should also address the use of other state, local and private resources and plans for legislative and administrative changes needed to implement the statewide strategy.

Program priorities for the use of the formula grant funds will flow from the development of this strategy. The strategy should describe the programs and other activities which will be initiated to implement the strategy.

User Accountability

The National Drug Control Strategy states that "to prevent people from using drugs, drug enforcement

activities must make it increasingly difficult to engage in any drug activity with impunity. That deterrent, however, will only remain credible so long as pressure is brought to bear on the entire drug market, dealers and users alike. That's why we need a national drug law enforcement strategy that casts a wide net and seeks to ensure that all drug use--whatever its scale--faces the risk of criminal sanction."

The Anti-Drug Abuse Act requires each state to certify that it is undertaking initiatives to reduce, through the enactment of innovative penalties or increasing law enforcement efforts, the demand for controlled substances by holding accountable those who unlawfully possess or use such substances. The strategy should describe the mechanisms the state has or will establish to hold drug users accountable.

Coordination of Drug Control Efforts Within the State

A coordinated response by Federal, state and local criminal justice, education and treatment agencies is required to effectively address the drug abuse problems in this country. This section should describe efforts made by the state to coordinate criminal justice efforts within the state at both the administrative and the operational levels. It should also describe efforts to coordinate program activities initiated under the enforcement, prevention and treatment programs of the Anti-Drug Abuse Act of 1988. Coordination of the three efforts is also required under the prevention program (Drug-Free Schools and Communities Act) and the treatment program (Emergency Substance Abuse Treatment and Rehabilitation Block Grant Program).

Section III

Data Requirements

The development of a statewide strategy and an assessment of the impact of the strategy on the drug and violent crime problems in the state and Nation will require the collection of certain information. BJA has developed a data summary format to assist the states with the definition of data needs and to facilitate consistency of data for analysis of program impact. The recommended data summary for the state as a whole and for the jurisdictions of greatest need should be included as part of the application for Federal funds. The recommended data summary format follows this section. The states may find it necessary to collect additional information related to specific issues of concern to the state. This additional information should also be included in the strategy.

The information included in the data summary should be updated with each annual application and should be used to analyze progress toward addressing the drug and violent crime problem since the previous year. Improving data availability and quality for use in strategy development and decision-making within the state should be adopted as a long-term goal, and mechanisms should be established to gather needed information in the future. Sources of currently available data which should be explored include: State Statistical Analysis Centers, Uniform Crime Reports, the Law Enforcement Coordinating Committees (associated with each U.S. Attorney's Office), Drug Enforcement Administration, U.S. Coast Guard, U.S. Customs Service, state and local criminal justice and treatment agencies, Community Epidemiological Work Groups, State Drug or Organized Crime Task Forces and statewide criminal justice and treatment associations.

The availability of data will vary among the states, and some of the recommended data may be unavailable. If data is not available on a statewide basis or in a central repository, surveys of criminal justice agencies and/or sampling representative jurisdictions should be considered. When detailed data is available for some

jurisdictions but not for all, two forms may be submitted, one showing the detail and one showing the broader total figures. An explanation of any variations to the recommended format should be provided. If information included in the data summary by a state is based on estimates rather than actual data, an explanation of the method for determining the estimate should be included.

The available data may not fit neatly into the categories provided on the forms included in this document. An attempt should be made to follow the format as closely as possible to facilitate the aggregation of data from the various states. However, in some cases a state may have to show one figure to reflect two or more categories because the level of detail requested is not available.

For example in some states opiates and cocaine are identified under a single statutory schedule or drug offenses may be grouped into "sale", "possession" and "other". The data summary form cannot be designed to accommodate all of the variations found in the states. Therefore, each state should enter the data into the forms and provide notes to explain.

The statewide strategy incorporated into the state's application for formula grant funds should include the completed data summary. Narrative information which analyzes and explains the information contained in the forms or which addresses specific issues of concern to the state should also be included.

No application from a state will be denied simply because the recommended data is not available. However, the state should describe its efforts to identify available data and how a determination of the nature and extent of the drug problem was made in the absence of complete data. If the data is incomplete, the application should describe the mechanisms which have been set up or will be established to collect the recommended data in the future.

PUBLIC REPORTING BURDEN FOR THIS COLLECTION OF INFORMATION IS ESTIMATED TO AVERAGE 100 HOURS PER RESPONSE, INCLUDING THE TIME FOR REVIEWING INSTRUCTIONS, SEARCHING EXISTING DATA SOURCES, GATHERING AND MAINTAINING THE DATA NEEDED, AND COMPLETING AND REVIEWING THE COLLECTION OF INFORMATION. SEND COMMENTS REGARDING THIS BURDEN ESTIMATE OR ANY OTHER ASPECTS OF THIS COLLECTION OF INFORMATION, INCLUDING SUGGESTIONS FOR REDUCING THIS BURDEN, TO THE BUREAU OF JUSTICE ASSISTANCE, 633 INDIANA AVE. NW, WASHINGTON, DC 20531; AND TO THE PUBLIC USE REPORTS PROJECT, 1121-0151, OFFICE OF INFORMATION AND REGULATORY AFFAIRS, OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, D.C. 20503.

DATA SUMMARY FORMS

Report Period _____

ESTIMATE OF AVAILABILITY OF DRUGS IN THE STATE

Please describe the availability of drugs in the state and the level and type of production, importation and transshipment within the state. Indicate the type of drugs, source of the drugs and any observed changes in availability. Estimates may be derived from a variety of sources, such as a survey of law enforcement agencies, crime laboratory data, DEA Domestic Monitoring and Heroin/Marijuana Signature Programs, household and school surveys, Community Epidemiological Work Group studies, etc. Please indicate the sources of information and the methods used to make the estimates.

Report Period _____

DRUG-RELATED INCIDENTS

Please indicate the number of drug-related deaths, accidents and emergency room incidents. For emergency room incidents, please show the number of drug mentions within the chart and indicate the total number of episodes (drug-related visits to an emergency room) in the space provided below the chart. The drug mentions may exceed the number of episodes, as more than one drug may be mentioned.

INCIDENT	MAJOR DRUG INVOLVED							TOTAL
	OPIATES	COCAINE	CANNABIS	HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS	UNKNOWN/ OTHER	
Death								
Emergency Rm. Incident								
Fatal Traffic Accident								
Non-Fatal Traffic Accident								
Drug-Exposed Births								
Total								
Total Emergency Room Episodes _____				Number of Agencies Reporting Deaths _____				
Number of Agencies Reporting Emer. Rm. Incidents _____				Percent of Population Served _____				
Number of Agencies Reporting Drug-Exposed Births _____								

Report Period _____

DRUG-RELATED SCHOOL INCIDENTS

Please indicate the number of drug-related disciplinary actions reported by the schools.

ACTION FOR DRUG USE	TYPE OF DRUG							TOTAL
	OPIATES	COCAINE	CANNABIS	HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS	UNKNOWN/ OTHER	
Suspension								
Expulsion								
ACTION FOR SELLING DRUGS								
Suspension								
Expulsion								
Total								
Number of Agencies Reporting _____				Percent of Population Served _____				

Report Period _____

STATE AND LOCAL DRUG DISPOSITIONS

Please indicate the results, by defendant, of cases reaching disposition during the report period. Because of the time lag between arrest and disposition, the arrests reported in the previous chart and the dispositions reported in this chart may refer to different cases.

DISPOSITION	MAJOR DRUG INVOLVED							TOTAL
	OPIATES	COCAINE	CANNABIS	HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS	UNKNOWN/ OTHER	
Convicted								
Acquitted								
Dismissed								
Declined								
Unknown								
Total								
Number of Agencies Reporting _____				Percent of Population Served _____				

Report Period _____

STATE AND LOCAL DRUG CONVICTIONS

Please indicate the number of drug-related convictions within the state during the report period.

OFFENSE	MAJOR DRUG INVOLVED							TOTAL
	OPIATES	COCAINE	CANNABIS	HALLU- CINOGENS	STIMULANTS	DEPRES- SANTS	UNKNOWN/ OTHER	
Buying/ Receiving								
Cultivation/ Manufacture								
Distribution/ Sale								
Operation/ Promoting/ Assisting								
Possession/ Concealing								
Transportation/ Importation								
Consuming/ Using								
Other								
Total								
Number of Agencies Reporting _____				Percent of Population Served _____				

STATE AND LOCAL TREATMENT RESOURCES

Please indicate the total public drug treatment resources (government operated or contracted) available within the state and resources available to drug offenders during the report period. Also indicate the number of clients served, the average waiting period for admission, and the number of individuals on a waiting list on September 30.

TOTAL DRUG TREATMENT	BED SPACE/SLOTS AVAILABLE	CLIENTS SERVED	AVERAGE WAIT FOR ADMISSION	NUMBER ON WAITING LIST
Self-help				
Inpatient/Hospital-based				
Therapeutic Community				
Residential				
Day Care				
Methadone				
Outpatient Drug-free				
Other				

DRUG TREATMENT RESOURCES DEDICATED TO CRIMINAL JUSTICE CLIENTS	BED SPACE/SLOTS AVAILABLE	CLIENTS SERVED	AVERAGE WAIT FOR ADMISSION
Self-help			
Inpatient/Hospital-based			
Therapeutic Community			
Residential			
Day Care			
Methadone			
Outpatient Drug-free			
Other			
Number of Agencies Reporting _____		Percent of Population Served _____	

DRUG TREATMENT PROGRAMS WITHIN CORRECTIONAL FACILITIES	CLIENTS SERVED IN ADULT FACILITIES	CLIENTS SERVED IN JUVENILE FACILITIES
Self-help		
Education		
Special Programming (eg., therapeutic communities, ethnic programs) <i>Please describe the types of programs on a separate page.</i>		
Number of Agencies Reporting _____		Percent of Population Served _____

Report Period _____

NON-DRUG ASSETS SEIZURES AND FORFEITURES

Please indicate the number of non-drug assets seized or forfeited involving state and local agencies during the report period and estimated dollar amount of the assets. Please provide the same information for seizures and forfeitures (also included in state and local figures) in which there was Federal assistance.

STATE AND LOCAL AGENCIES	ASSET SEIZURES		ASSET FORFEITURES	
	NUMBER OF SEIZURES	DOLLAR AMOUNT	NUMBER OF FORFEITURES	DOLLAR AMOUNT
Vehicles				
Vessels				
Aircraft				
Currency				
Other Financial Instruments				
Real Property				
Weapons				
Other				
WITH FEDERAL ASSISTANCE				
Vehicles				
Vessels				
Aircraft				
Currency				
Other Financial Instruments				
Real Property				
Weapons				
Other				
Number of Agencies Reporting _____		Percent of Population Served _____		

Report Period _____

STATE AND LOCAL DRUG CONTROL UNITS

Please indicate the number of agencies in the state which have drug control units and the number of full-time equivalent employees (FTE) assigned to the unit.

TYPE OF AGENCY	NUMBER OF AGENCIES WITH DRUG UNITS	FTE ASSIGNED
State Law Enforcement Agency		
Statewide Drug Enforcement Task Force		
Local Law Enforcement Agencies		
Local Drug Enforcement Task Force		
State Prosecutors		
Local Prosecutors		
Number of Agencies Reporting _____		Percent of Population Served _____

TRAINING AND TECHNICAL ASSISTANCE PRIORITIES

Please identify specific training and technical assistance needed to improve the functioning of the criminal justice system or to enhance the state's drug control efforts, which are not available within the state. Identify the type of training or technical assistance requested, the agency or agencies which would receive the assistance and problem to be addressed.

RESEARCH PRIORITIES

Please identify issues or areas of dilemma impeding the state's drug control efforts or the functioning of the criminal justice system which require research, development of models or other guidance. Please describe each issue and the type of response which would be of assistance to the state.

Appendix E

Individual Project Report



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
BUREAU OF JUSTICE ASSISTANCE
INDIVIDUAL PROJECT REPORT

This report is to be submitted by the State Office to the Bureau of Justice Assistance within thirty (30) days of the official award of a subgrant to a state agency or local unit of government. The purpose of the report is to capture baseline information on subgrant recipients and projects and in a manner that will ease computerization of the data. Information will be used to report on program activity to the Administration and the Congress and to provide feedback to States.

1. Project Identification Number		2. Federal Fiscal Year of Funds	3. Project Title	
4. Subgrantee/Recipient (Agency Name & Address including Zip Code) Contact Person: _____			5. Project Telephone Number (including area code) 6. Level of Government: (Check one) <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> State <input type="checkbox"/> County <input type="checkbox"/> N/A </div> <div> <input type="checkbox"/> City/Town <input type="checkbox"/> Indian Tribe </div> </div>	
7. Is the project Multi-Jurisdictional?	8. Legislative Purpose	9. Is the project a local pass-through?	10. Congressional District(s) Served (if statewide, enter "All")	11. Total Population of project area
12. BJA Funds Matching Funds State _____ <div style="display: flex; justify-content: space-between;"> <div>\$ _____</div> <div>\$ _____</div> <div>Local _____</div> </div> <div style="display: flex; justify-content: space-between;"> <div></div> <div>Other _____</div> </div>		13. Project Award Start Date Project Award End Date <div style="display: flex; justify-content: space-between;"> <div>____/____/____</div> <div>____/____/____</div> </div>		
14. Type of Award (check one) <div style="display: flex; justify-content: space-between;"> <div><input type="checkbox"/> New (first award of BJA funds for this project)</div> <div><input type="checkbox"/> Continuation (second or subsequent award of BJA funds)</div> </div> If award is a continuation, provide previous Project I.D. Number _____ If previously funded, number of months receiving Federal Funding? _____				
<p>Questions 15 and 16 ask about the types of agencies that are responsible for the actual implementation of projects. In some cases, the implementing agency is the same as the subgrantee or is a specific component of the subgrantee (i.e., a local police department). In other cases, the implementing agency may be an agency that the subgrantee has contracted with for all or a majority of project operations (a private non-profit agency under contract to a unit of local government).</p>				
15. Type of Implementing Agency (Check one) <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div> <input type="checkbox"/> Criminal Justice Gov't Agency <input type="checkbox"/> Private Non-Profit Agency </div> <div> <input type="checkbox"/> Non-Criminal Justice Agency <input type="checkbox"/> Educational Institutions </div> </div>				
16. Please check one of the following descriptions of the implementing Agency: <div style="display: flex; flex-wrap: wrap; margin-top: 10px;"> <div style="width: 33%;"> <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Prevention/Education <input type="checkbox"/> Pretrial Service <input type="checkbox"/> Treatment </div> <div style="width: 33%;"> <input type="checkbox"/> Prosecution <input type="checkbox"/> Adjudication <input type="checkbox"/> Correctional Institutions </div> <div style="width: 33%;"> <input type="checkbox"/> Public Interest/Prof. Org. <input type="checkbox"/> Corrections <input type="checkbox"/> Other (describe) _____ </div> </div>				