BUREAU OF JUSTICE ASSISTANCE

# BYRNE STATE CRISIS INTERVENTION PROGRAM

### **BYRNE SCIP 101 VIRTUAL TRAINING**

Thursday, March 21, 2024 1:00 p.m. ET







### What is the Office of Justice Programs?

- The Office of Justice Programs
   (OJP) provides grant funding,
   training, research, and statistics
   to the criminal justice
   community.
- OJP is one of three grantmaking components of the Department of Justice along with the Office on Violence Against Women (OVW) and the Office of Community Oriented Policing Services (COPS).

**BJA** – Bureau of Justice Assistance



**BJS** – Bureau of Justice Statistics



NIJ - National Institute of Justice



**OVC** – Office for Victims of Crime



**OJJDP** – Office of Juvenile Justice and Delinquency Prevention



**SMART** – Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking





# U.S. Department of Justice Bureau of Justice Assistance

Mission: BJA's mission is to provide leadership and services in grant administration and criminal justice policy development to support state, local, and tribal justice strategies to achieve safer communities. BJA works with communities, governments, and nonprofit organizations to reduce crime, recidivism, and unnecessary confinement, and promote a safe and fair criminal justice system.

Karhlton F. Moore, BJA Director



https://bja.ojp.gov/





# **How BJA Supports the Field**



#### **Investments**

Provide diverse funding to accomplish goals.



# Sharing Knowledge

Research, develop, and deliver what works to build capacity and improve outcomes.



### **Engagement**

Consult, connect, and convene.



# **Background**

- On June 25, 2022, President Biden signed the Bipartisan Safer Communities Act of 2022 into law to reduce gun violence and save lives, and to make progress toward keeping guns out of dangerous hands.
- The Bipartisan Safer Communities Act amended the Edward Byrne Memorial Justice Assistance Grant (JAG) Statute:
  - Additional program area: Implementation of state crisis intervention court proceedings and related programs or initiatives, including, but not limited to: (i) mental health courts, (ii) drug courts, (iii) veterans courts, and (iv) extreme risk protection order (ERPO) programs.
  - Added minimum requirements for ERPO programs.
  - Expanded the general authorization to include "civil proceedings" in addition to criminal justice.
  - Added an annual report and evaluation requirement for crisis intervention programs.
- The Bipartisan Safer Communities Act appropriated \$150 million per year for 5 years (FY 2022 FY 2026) specifically for the new state crisis intervention court proceedings and related program initiatives program area.

This training was created with the support of Grant No. 15PBJA-22-GK-04999-BSCI awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the SMART Office, and the Office for Victims of Crime. Points of view or opinions in this webinar are those of the author and do not necessarily represent the official position of the U.S. Department of Justice.

# Workshop Agenda:

Thursday, March 21, 1:00 p.m. – 4:30 p.m. ET

Introductions

Overview of Byrne SCIP

Key Grants Administration Components

Q&A

Byrne SCIP Advisory Boards

Successful Strategic Planning Components

Potential Byrne SCIP Investments

Courts and Crisis Response

Extreme Risk Protection Orders (ERPOs)

PMT, Data and Evaluation

Training and Technical Assistance (TTA)

Q&A



# Logistics

Participant materials

No suffer rule!

Participation encouraged

Ask questions

Parking lot



## Introductions:

- NCJA (National Criminal Justice Association).
- JHU (Johns Hopkins University).
- NCJFCJ (National Council on Juvenile and Family Court Judges).
- BJA (Bureau of Justice Assistance).
- Change your name to include your state.
- Please add to chat the status of your Byrne SCIP Program in your state.





BUREAU OF JUSTICE ASSISTANCE

# BYRNE STATE CRISIS INTERVENTION PROGRAM (SCIP)

MARCH 21, 2024





#### **Presenter**



#### **Andrew Rodeghero**

State Policy Advisor
<a href="mailto:Andrew.Rodeghero@usdoj.gov">Andrew.Rodeghero@usdoj.gov</a>
(202) 880-7392



## **Agenda**

Welcome and Introduction to OJP and BJA

**Program Overview and Grant Administration** 

**Uses of Funding** 

Q&A



#### **SECTION 2**

# PROGRAM OVERVIEW AND GRANT ADMINISTRATION





# Byrne State Crisis Intervention Program (SCIP)

Provides funds to states to implement state crisis intervention court proceedings and related programs or initiatives, including but not limited to mental health courts, drug courts, veterans' courts, and extreme risk protection order programs.

#### \$750 million in Funding

- \$150 million per year, from FY22 FY26
- 51 FY22-23 awards made totaling \$248,143,943



# Overview of Program Requirements

- Crisis Intervention Advisory Board: To inform and guide the state's related gun violence reduction programs/initiatives
- State Crisis Intervention Program Plan and Budget: Plans must be expressly approved by BJA post award
- Pass Through: Required Direct Local Pass-through & Less than \$10,000 pass-through
- Authorization of Subawards: All subawards must be expressly approved by BJA post award





# Overview of Program Requirements

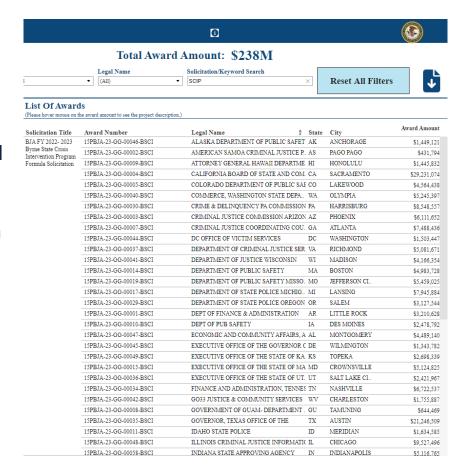
- Coordination and Evaluation: Requirements to cooperate with BJA and its training and technical assistance (TTA) provider(s)
- Obligations, Expenditures, and Draw Downs:
   Except for \$20,000 made available for completing the program plan and budget, funds may not be obligated, expended, or drawn down until BJA approval and all other withholding award conditions have been addressed
- Performance Reporting: Quarterly performance measure reports are submitted through BJA's PMT; Semi-annual progress are submitted through JustGrants





# Program and Budget Plans

- Withholding condition: obligations not to exceed \$20,000 to develop program plans and budget with the Crisis Intervention Advisory Board
- Approval by BJA via a Grant Award Modification (GAM)
  - See Byrne SCIP FAQ #43
     (https://bja.ojp.gov/doc/byrne-scip-faq.pdf)
  - Update the project description (and project title, if applicable)
  - Project descriptions are publicly available on the OJP Awards Dashboard





# Pass-Through Requirements

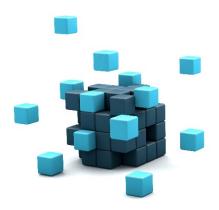
Byrne SCIP FAQs #26-31

- Direct local pass-through: 40 percent to local governments
  - A "unit of local government" is a city, county, township, town, or certain federally recognized American Indian tribes
  - This pass-through is **REQUIRED** and is **NOT** eligible for a waiver
- "Less-than-\$10,000" pass-through:
  - Must provide to State courts that provide services to less-than-10,000-jurisdictions, and/or
  - Provide direct funding to less-than-\$10,000 jurisdiction(s) and/or
  - Request waiver to retain for state-level project to directly benefit less-than-\$10,000-jurisdiction(s)



### **Federal Authorization of Subawards**

All subawards must be expressly approved by BJA post award via a Grant Award Modification (GAM)



#### Within GAM, include:

- Letter on agency letterhead signed by the Byrne SCIP Authorized Representative
- Summary of the selection process for the subawards included in the request
- List of the one or more units of local government that will be issued subawards, along with their proposed award amounts and project periods
- A description of the proposed subaward(s) and the subaward budget(s)



**SECTION 3** 

## **USES OF FUNDING**





#### **Unallowable Costs**

Prizes, rewards, entertainment, trinkets (or any type of monetary incentive)

Client stipends

Gift cards

Food and beverage

Unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV) and all accompanying accessories to support UAS or UAV

Supplanting state or local funds



### **Lobbying Prohibition**

Funds may not be used, directly or indirectly, to support the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913

Recipients and subrecipients must comply with the provisions in 2 C.F.R. § 200.450 (Lobbying) and 18 U.S.C. 1913, as appropriate. Also, see Chapter 2.1 of the DOJ Grants Financial Guide for more specifics about restrictions on lobbying.



# Allowable Activities and Costs

- What types of programs can Byrne SCIP funds be used for?
- What activities and costs are allowable in Byrne SCIP programs?

SCIP funded projects must directly contribute to crisis intervention

Coming soon - updated FAQs





### Potential Byrne SCIP Subaward Projects

- 1. Safe storage campaign: owner education and safe storage
- Crisis intervention teams: mental health/law enforcement
- 3. Specialty courts: domestic violence, substance use, mental health
- 4. School resource officer (SRO) programs: crisis intervention training/engagement
- Technology improvements and law enforcement programs for crisis intervention



#### Resources

### Orientation Webinar



TTA Provider Overview



#### **Byrne SCIP FAQs**

https://bja.ojp.gov/doc/byrne-scip-faq.pdf

#### **JustGrants Resources**

https://justicegrants.usdoj.gov/training

#### **FY22-FY23 allocations**

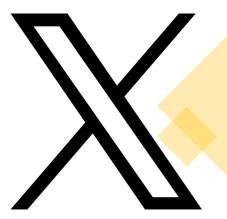
https://bja.ojp.gov/funding/fy-2022-2023-byrne-scip-allocations.pdf



### **Stay Connected!**

- Facebook: <a href="https://www.facebook.com/DOJBJA">https://www.facebook.com/DOJBJA</a>
- X: <a href="https://x.com/DOJBJA">https://x.com/DOJBJA</a>
- YouTube: <a href="https://www.youtube.com/dojbja">https://www.youtube.com/dojbja</a>
- Use the QR code to subscribe to "Justice Matters" and "News From BJA" to receive the latest information from BJA and the field.
- For information on funding opportunities, publications, and initiatives, visit BJA's website: www.bja.ojp.gov.











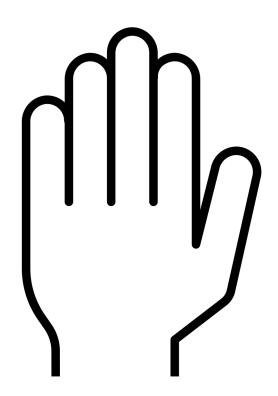






## **Questions?**





Let's chat!

**Planning Processes** 

Report out from groups

# About NCJA

- Nonprofit organization based in Washington, D.C., representing state, local and tribal governments and practitioners across the criminal justice community.
- Purpose: to strengthen criminal justice communities and improve lives by empowering stakeholders through training, collaboration and advocacy.
  - Convener and Facilitator
  - Advocate and Liaison
  - Thought Leader
  - Training and Technical Assistance (TTA)
     Provider

### **About NCJA**











Membership

NCJA Data Center The OVC Center for VOCA Administrators NCJA Center for Grants Management NCJA Center for Justice Planning

# NCJA Center for Justice Planning

Through the Bureau of Justice Assistance (BJA), the NCJA Center for Justice Planning (CJP) is the longstanding TTA provider for the Byrne Justice Assistance Grant (Byrne JAG) and one of three TTA providers for the Byrne SCIP Program.

NCJA provides guidance, primarily to State Administering Agencies (SAAs) and local Criminal Justice Coordinating Councils (CJCCs), on strategic planning, stakeholder engagement, and effective use of data and promising practices through direct assistance, webinars, workshops, toolkits, resources, and peer-to-peer learning opportunities.





# Byrne SCIP

An Overview

# High-level Program Management Requirements Include:

The development of a Byrne SCIP Crisis Intervention Advisory Board to inform and guide the state's Byrne SCIP plan.



Additional components include BJA and Byrne SCIP Advisory Board approval of program plan/budgets and authorization of subawards.



More in-depth data collection and evaluation to support DOJ evaluation on effectiveness.





### Byrne JAG vs. Byrne SCIP Key Differences: Administration

#### **Byrne JAG**

- State and local direct awards.
- Funding upfront.
- Strategic plan and annual report requirement.
- Variable pass-through.
- Less than \$10,000 can go to state police.

#### Byrne SCIP

- Only state direct awards.
- Reimbursement model.
- Byrne SCIP advisory board requirement for approval.
- Levels of approval from BJA.
- 40% pass-through.
- Less than \$10,000 can go to state courts.



# Byrne SCIP Advisory Board

Applicants must form a diverse Byrne SCIP advisory board to inform and guide the state's related gun violence reduction programs/initiatives.

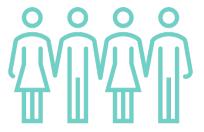
The board must include, but is not limited to, representatives from law enforcement, the community, courts, prosecution, behavioral health providers, victim services and legal counsel.

The program and budget plans must be expressly approved by BJA post-award via a Grant Award Modification (GAM) before funds can be obligated.

Byrne SCIP advisory board approval will also be required for any subsequent changes to the project's scope or budget.



### Community



Community representation and engagement should be at the heart of this work. This may mean engaging community-based organizations and nonprofits but also engaging faith and community leaders, citizens, and individuals with lived experience.

#### Additional Stakeholders to Consider

- State court administrators
- Legal aid, public defense
- Statewide treatment court coordinators: these coordinators are responsible for oversight of all treatment courts within the state, which can include drug courts, veterans treatment courts, mental health courts, family courts and juvenile courts
- 988 partners
- National Alliance on Mental Health (NAMI)
- Court infrastructure experts familiar with domestic violence protection orders and related charges
- State public health and mental health agencies
- Criminal Justice Coordinating Councils (CJCCs) engaged in crisis intervention response initiatives
- Statistical Analysis Centers (SACs) and other research partners who can assist in developing a gun violence landscape analysis and program evaluations
- Partners associated with the governors'/mayors' challenge to prevent suicide among service members, veterans, and their families



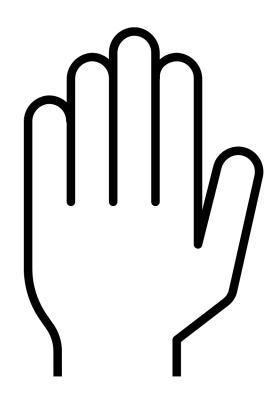
# Examples from States

Examples found in approved program plans

- Using existing boards or councils (and adding stakeholders if needed)
  - o JAG boards
  - o Behavioral health-focused councils
  - State crime commissions
  - o Court-focused committees
- Partners with lived experience
- Research partners and professors
- Tribal community representatives
- National Alliance on Mental Illness (NAMI) representatives
- Department of Health
- Department of Education
- Department of Veteran Affairs
- Treatment court coordinators
- Clinicians
- Advocates
- Department of Mental Health and Substance Use Services
- Rural representatives







Let's chat!

Stakeholder Engagement

Report out from groups

# What can be helpful when identifying priorities for funding?



STAKEHOLDER INPUT



**DATA** 



HISTORICAL CONTEXT



UNDERSTANDING YOUR SCOPE

# Overview: Potential Uses of Funding

- Support for states implementing ERPO programs; training for those implementing ERPO programs; communication, education and public awareness campaigns/initiatives.
- Support for problem-solving court programs such as treatment, mental health, and veterans treatment courts to expand programming to specifically accept clients with firearm violations.
- Support for court-based programs that identify and provide support to people in crisis, including those at risk of harm to themselves or others with a firearm, assessing their circumstances and needs, and connecting them with programs and services that can provide them with needed help and support.
- Support for deflection and diversion to behavioral health treatment and support services for those at risk to themselves or others.
- Funding for law enforcement agencies to safely secure, store, track and return firearms.



#### Disclaimer

This presentation does not include an exhaustive list of programming trends.

Grantees are encouraged to reach out to BJA directly to ensure planned investments are allowable as policies can change.

BJA is updating this information as states implement the program to share new strategies and to clarify questions from the field.





#### **ERPO Support**

Byrne SCIP funding can be used to expand or support ERPOs in states with existing ERPO laws. Funding can be used to support ERPOs in a variety of ways:

#### Training for those implementing ERPO programs

- Training for judiciary and court staff on ERPO proceedings.
- Training for family members on ERPO.
- Training for first responders on ERPO.

#### Communication, Education, and Public Awareness

- Outreach to community members, stakeholders, municipal leaders, law enforcement agencies, and those engaging with at-risk individuals to raise public awareness about the value and public safety benefits of ERPO laws and programs, and to promote the importance of effective implementation, enforcement, as well as program development and enhancement.
- Development and distribution of ERPO fact sheets, brochures, webinars, television or radio engagement (e.g., advertisements, spotlights), and social media outreach (e.g., YouTube, Facebook, LinkedIn) to execute the communication, education, and public awareness strategy.
- Publication of best practices regarding ERPO programs.

Support for deflection and diversion to behavioral health treatment and support services for those at risk to themselves or others.

- Assertive community treatment.
- Behavioral threat assessment programs and related training.
- Triage services, mobile crisis units (both coresponder and civilian only) and peer support specialists.
- Technological supports such as smartphone applications to help families and patients navigate mental health and related systems and telehealth initiatives, including technology solutions for telehealth visits outside the hospital.
- Behavioral health responses and civil legal responses to behavioral health responses such as regional crisis call centers, crisis mobile team response, and crisis receiving and stabilization facilities for individuals in crisis.
- Specialized training for individuals who serve or are family members of individuals who are in crisis.
- Related law enforcement-based programs, training, and technology.





#### Specialized court-based programs:

- Threat assessment training for prosecutors, judges, law enforcement, and public defenders.
- Technology, analysis, or information-sharing solutions for ensuring law enforcement, probation, prosecutors, the courts, and public defenders are informed when a prohibited person attempts to purchase a firearm.
- Development and implementation of validated gun violence risk-assessment tools, service case management, and navigation programs to assess the risks and needs of clients and connect them to critical services to mitigate their risk of gun violence and enhance their access to effective interventions.
- Expanding the capacity of existing drug, mental health, and veterans treatment courts to assist clients who are most likely to commit or become victims of gun crimes.



# Funding for Law Enforcement Agencies to Safely Secure, Store, Track and Return Relinquished Guns

Gun locks and storage for individuals and businesses.

Software/technologies to track relinquished guns.

Development and/or delivery of specialized training and overtime for officers to attend training.



# Additional High-level Ideas

- Research planning and evaluation
- Domestic violence protection order support and enhancement
- Community Violence Intervention (CVI) programs with a focus on reducing gun violence
- Support for 988 implementation and other suicide prevention efforts

# Subawards as of February 29, 2024

Summary

An analysis of these subawards revealed that plans focus on the following areas:

- Addressing behavioral health in schools
- Community-based programming
- o Interventions in the courts
- Firearm safety in the community
- o Policing
- o Jails
- Public defender and prosecutor's office





# Addressing Behavioral Health in Schools

- o Providing advanced training in deescalation, digital threat assessment, and trauma response to school resource officers.
- Adding additional clinical social workers and mental wellness workers across schools and early childhood centers.
- Expanding an existing crisis mobile diversion program that supports multiple middle and high schools.
- o Implementing immediate firearm detection programming in schools.

# Firearm Safety in the Community

- o Statewide campaigns promoting safe firearm storage practices.
- Offering free safe storage devices for firearms.
- o Evaluation of safe storage campaign effectiveness.



# Community-based Programming

- Expanding after-school programming to include older youth by including robust STEM and workforce development programming.
- o Establishing stronger mental health and wellness/social learning programs for at-risk youth.
- O Creating a Rapid Care
  Coordination and Treatment team
  that quickly connects high-risk
  individuals with mental health
  and/or substance use issues to
  services; eliminating the long wait
  times and other barriers that
  currently exist.

- Resource Notification (WARN), a program designed to deter people from committing firearm-related crimes through education about the consequences of gun crimes.
- O Creation of a behavioral health liaison position to act across agencies and community behavioral health providers to facilitate collaboration, communication, and more timely responses between criminal justice and behavioral health systems, improve access to treatment, and reduce incarceration time.



#### Courts

Expanding existing treatment court capacity:

- Including individuals with violent offenses.
- Providing emergency/transitional housing support when necessary.
- Significantly increasing staff to include more clinicians, case managers, dedicated treatment court coordinators, and more.
- Planning to assess needs and build infrastructure to serve these persons.

- Implementing evidence-based screening tools designed to assess risk of committing firearm/violent crime.
- Training for treatment court staff regarding specialty court best practices.



#### **Policing**

- Virtual reality training simulator for police officers to train in a controlled environment for an array of difficult scenarios including de-escalation, mentally unstable subjects, cooperative/uncooperative subjects, and shoot/don't shoot situations.
- Crisis Intervention Team (CIT) training: expanding existing programs or implementing new programs.
  - Establishing officers as part of the CIT that focus on interpersonal gun violence.
  - Providing training to better support police officers, first responders, and dispatch personnel as they respond to crises.

- Co-responder related programming expanding existing initiatives.
  - Co-responders identify individuals at risk for gun violence and focus on prevention.
  - Co-responders offer training to officers about how to respond to crises involving firearms.
  - Embedding co-responders within police departments to facilitate improved access to and timeliness of mental health resources.



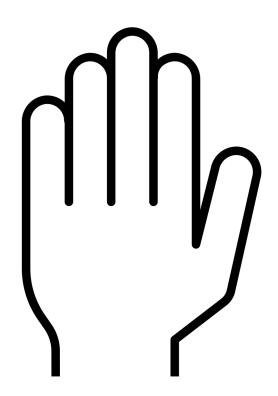
#### **Jails**

- Expanding existing jail navigator programming.
  - Adding staff such as case managers and peer specialists.
  - Providing CIT training for jail staff.

#### Public Defender/ Prosecuting Attorney's Office

- o Implementation of holistic public defense representation, including risk-needs assessment, connecting clients to services that mitigate their risk of violence, and increasing access to effective interventions.
- Increased domestic violence training for the victim advocate and for local law enforcement.





Let's chat!

Where do you see your state's priorities?

Report out from groups



## NATIONAL COUNCIL OF JUVENILE AND FAMILY COURT JUDGES

Innovative Court Strategies for Risk Prevention, Crisis Intervention, and Gun Violence Reduction: Opportunities for Byrne SCIP Funding

#### **NCJFCJ Impact**



Oldest Judicial Membership Organization



30,000 Judges and Professionals Trained



4 Million
Families
Affected by Our
Work\*

## NCJFCJ Team Introductions



Eryn Branch, Director, FVDR



Allison List, Director, BH



Nancy Hart, Senior Program Attorney



Darren Mitchell, NCJFCJ Fellow, FVDR



# Courts Are Critical Partners

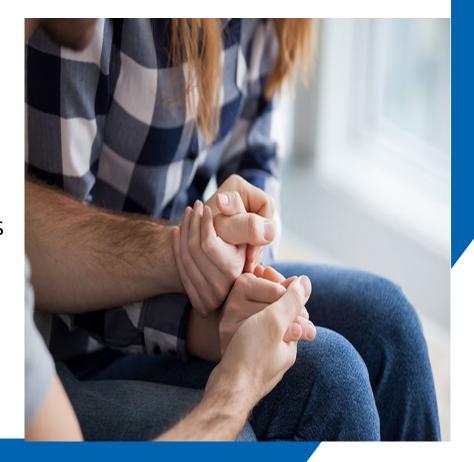
- Many people involved in court cases are at risk of harm to themselves or of causing harm to others, including as a result of firearms violence.
- This is true across the full spectrum of proceedings: criminal, family, juvenile, civil, treatment courts, and specialized dockets, etc.



#### **Courts Are Critical Partners**

Courts are in a unique position to identify people who are in crisis and/or at risk of causing harm to themselves or others. Courts can:

- Make referrals and connections to services for people in crisis, including victims.
- Take effective action to ensure the safety of court personnel and others in courthouses.



## **Working with Courts**

Byrne SCIP provides SAAs a unique opportunity to work with court partners to identify gaps and needs for courts and court involved people by:

- Promoting innovation in community responses to people in crisis by going beyond deflection.
- Providing leadership in galvanizing support and engagement of practitioners and the community.





Tools for courts to assess their system-wide ability to identify and respond to people in crisis



Systems
mapping,
including the
use of the
Sequential
Intercept Model
(SIM)



Training on firearms relinquishment and compliance monitoring



Training on
behavioral health
disorders and
responses, including
prevention,
intervention and
alternative civil legal
approaches



Training on threat assessment training for judges, courts, and partners



Establishing liaisons between courts and behavioral health service providers



Use of effective/validated screening tools for identification of at-risk individuals



Development of traumaresponsive courts



Embedding behavioral health providers in courts, such as navigators and peer support specialists



Court-based advocacy and other service providers



Implementation of diversion programs and processes



Expansion or enhancement of treatment courts, including for those with prior violence



Dangerousness assessment tools and coordinated response to individuals posing highest risk



Specialized domestic violence courts



Effective responses to DV perpetrators who pose a risk of firearms violence

## Key Areas of Assistance

Identifying key court and judicial contacts

Facilitating connections

Clarifying court governance and structure

Understanding court culture and norms

Sharing examples of court-related SCIP activities

Presentations to advisory boards

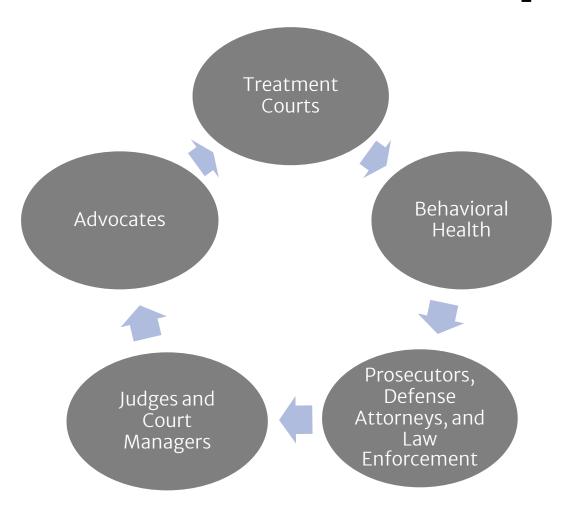
## Key Areas of Assistance

Facilitating peerto-peer sharing among SAAs on court effor<u>ts</u> Promoting engagement of judicial officers and court administrators

Assistance with state plan development, solicitations, and assessing proposed projects

Identifying opportunities for high-impact, court-related SCIP work

#### **Project Partners and Experts**



# Summary of Training and Technical Assistance







Development of tools



Peer-to-peer mentoring



Support throughout planning and implementation

## Questions?



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Allison List,



Nancy Hart, nhart@ncjfcj.org

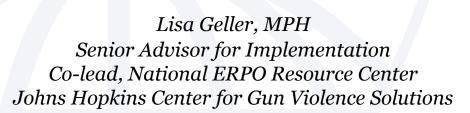


Darren Mitchell, dmitchell@ncjfcj.org





March 21, 2024



of PUBLIC HEALTH

Spencer Cantrell, JD
Senior Advisor for Implementation
Co-lead, National ERPO Resource Center
Johns Hopkins Center for Gun Violence Solutions



Center for Gun Violence Solutions

#### Overview of Extreme Risk Protection Orders

- ERPOs are civil orders modeled off domestic violence protection orders (DVPOs).
- ERPO petitioners always include law enforcement and often include others such as family/household members and health care providers.
- ERPOs solely address access to firearms.
- There are usually two types of ERPOs:
  - Ex parte, or temporary orders, that usually last up to two weeks.
  - —Final orders that usually last up to a year.





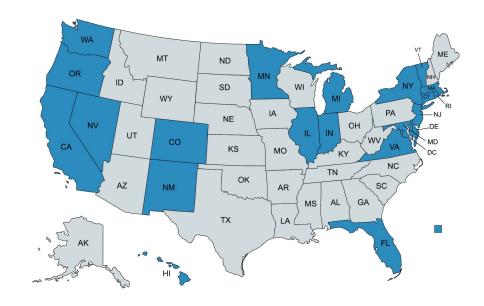
The National ERPO Resource Center

a project of the Center for Gun Violence Solutions



## Overview of Extreme Risk Protection Orders

- California passed the first modern-day extreme risk law (called a gun violence restraining order or GVRO) in 2014.
- Currently 21 states and Washington, D.C., have ERPO laws.





The National ERPO Resource Center

a project of the Center for Gun Violence Solutions



### Factors to Consider for ERPO

#### Threats or acts of violence toward self or others

Patterns of violent acts or threats

Violations of domestic violence protective orders

Previous convictions for crimes prohibiting purchase and possession of firearms

History of violence

Unlawful and reckless use of firearms

Ongoing alcohol and/or substance abuse

Recent acquisition of weapons



## Due Process Protections Included in ERPO Laws

ERPO laws are consistent with the rights afforded under the United States Constitution including the 2nd amendment, 5th amendment, and 14th amendment including, at the appropriate phase, the rights to:

- Notice
- An in-person hearing
- An unbiased adjudicator
- Know opposing evidence
- Present evidence
- Confront adverse witnesses
- Counsel (at no expense to the government)
- Penalties for abuse of the program





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a project of the Center for Gun Violence Solutions



## **Comparing Protection Orders**

#### **ERPO**

Petitioners vary by state, but typically include law enforcement and family members

Sole relief is to remove firearms and prevent purchase

### **DVPO**

Petitioners typically limited to spouses, dating partners, individuals with children in common, or those in a dating/sexual relationship

Filed by a victim/survivor

Relief includes holistic provision, such as a no contact order, stay away, financial support, child custody, and/or use of a home or car

Civil order

Order issued by judge or other judicial officer

Time limited



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## Lessons from the U.S. ERPO Experience to Date

- Great variation among and within the states with regard to uptake.
- Petitioners are often law enforcement (LE); clinicians are rarely petitioners but do initiate LE contact that leads to ERPO.
- Descriptive studies to date.
  - Evidence of ERPO being used in response to mass shooting threats, suicide,
     and interpersonal violence including domestic violence.
- Implementation tends to be at the local level, associated with champions who build the infrastructure.
- Implementation models are present in localities across the states.
- Opportunity with the Bipartisan Safer Communities Act with federal funding for implementation.



The National ERPO Resource Center

a project of the Center for Gun Violence Solutions

Source: https://publichealth.jhu.edu/departments/health-policy-and-management/research-and-practice/center-for-gun-violence-solutions/solutions/firearm-removal-laws



#### **State ERPO Infrastructure**



- Designate a state ERPO coordinator.
- Create a statewide ERPO task force.
- Implement statewide data collection protocols.
- Implement a statewide ERPO training curriculum.
- Increase awareness of ERPO laws through targeted education and outreach efforts.
- Consider options for a state law enforcement agency to file ERPO petitions.



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#### **Local ERPO Infrastructure**



- Designate ERPO leads in law enforcement agencies and prosecutor/county attorneys' offices.
- Designate dedicated ERPO judges.
- Create a local ERPO working group or coordinator to facilitate cooperation among key partners and connection to services.
- Designate a local advocate to guide respondents and civilians involved in the ERPO process.
- Implement a local ERPO training curriculum.
- Implement protocols to immediate share ERPO information with background check databases to prevent firearm purchases.



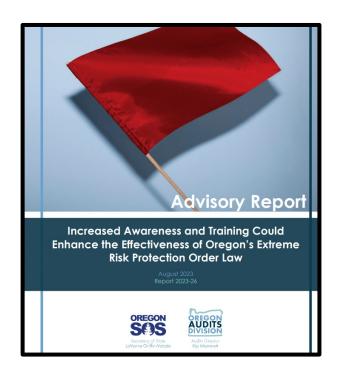
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#### Transparency & Accountability

- Develop guidelines for ERPO data collection and sharing to enable oversight and research.
- Create a process for regular review of the local ERPO program that involves all key partners.
- Publish an annual statewide ERPO report.







## The National ERPO Resource Center

The ERC will provide ERPO implementation training and technical assistance in jurisdictions with extreme risk laws to:





The National ERPO Resource Center

a project of the Center for Gun Violence Solutions



## The National ERPO Resource Center

#### **Project activities include:**

- Building and disseminating an Implement ERPO website.
- Toolkits and implementation guides.
- Asynchronous and synchronous trainings.
- A Community of Practice.
- Responsive technical assistance.

Could you speak to a state group of judges, law enforcement, etc. about ERPO?

Can you review my state plan and provide feedback?

I'm new to ERPO work and would like to talk to someone about best practices. Can you help?

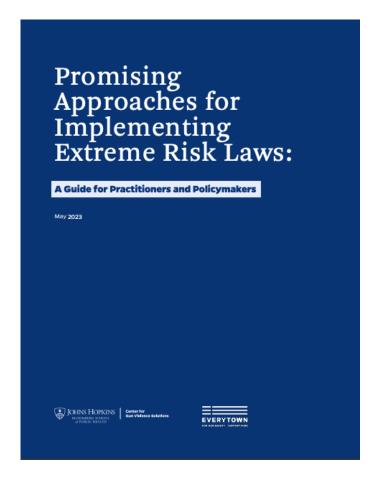


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## Promising Approaches for Implementing Extreme Risk Laws: A Guide for Practitioners and Policymakers



Scan to access the report!



https://publichealth.jhu.edu/sites/default/files/2023-05/2023-may-cgvs-promising-approaches-for-implementing-extreme-risk-laws.pdf





## Questions?

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BUREAU OF JUSTICE ASSISTANCE

# BYRNE STATE CRISIS INTERVENTION PROGRAM PERFORMANCE MEASURES AND REPORTING

March, 2024





## **Agenda**

Performance Management at BJA Purpose of Performance Measures and Benefits Data Reporting: What, Where, When, How Program-specific Questionnaire Data Spotlight **Data Reporting Best Practices** Contact Information and Resources



## What Is Performance Management?

Process by which grantees regularly collect and report data.

Determine whether they are implementing activities as intended and achieving their desired goals and objectives.

Questionnaire captures inputs, outputs, and outcomes over time and enable pre- and post-comparisons that can be used to facilitate change, as needed.

Periodic reporting over life of grant.

For more information, visit the OJP Grant Performance Measurement and Progress Reporting Information Portal at <a href="mailto:ojp.gov/performance">ojp.gov/performance</a> and the BJA Performance Measures site at <a href="https://bja.ojp.gov/funding/performance-measures/overview">https://bja.ojp.gov/funding/performance-measures/overview</a>.



## Why Does BJA Use Performance Measures?



Identify areas of success and potential areas of improvement.



Track grant activity and progress towards program goals.



Understand how funds are being distributed.



Comply with the law.



#### What Are the Benefits to Grantees?



Identify areas for improvement to focus internal efforts.



Allow BJA to address grantee challenges through the provision of training and technical assistance.



Generate evidence of progress toward program goals.



## **Reporting Data**

### What?

What do I report?

#### Where?

Where do I report?

#### When?

When do I report?

#### How?

How do I report?





## What Data Do I Report?

#### **Link to Performance Measures Questionnaire:**

https://bja.ojp.gov/funding/performance-measures/byrne-scip-measures.pdf

More information on performance measures can be found here:

https://bja.ojp.gov/funding/performance-measures

#### **Reporting Tip:**

You can use the questionnaire as a guide to track relevant data in your files in the time interval that is easiest for you. When it is time to report, you can add those figures to get your reporting period totals.

#### BUREAU OF JUSTICE ASSISTANCE BYRNE STATE CRISIS INTERVENTION PROGRAM PERFORMANCE MEASURES QUESTIONNAIRE

The following pages outline general questions and performance measures for the Bureau of Justice Assistance (BJA) Byrne State Crisis Intervention Program (SCIP).

#### GOALS AND OBJECTIVES

On June 25, 2022. President Biden signed the Bipartisan Safer Communities Act of 2022 into law to reduce gun violence, save lives, and to make progress toward keeping guns out of dangerous hands. In signing the Bill into law, the President noted that this historic act "invests in antiviolence programs that work – that work directly with the people who are most likely to commit these crimes or become victims of gun crimes."

An extreme risk protection order (ERPO) is a common-sense, effective measure to empower family members, health care providers, school officials, or law enforcement officiers to petition a court to temporarily prevent a person from accessing firearms if they are found to be a danger to themselves or others (see the jume 7, 2022 Statement of Administration Policy), 10 2021, the Department of Justice released model legislation to help states create their own ERPO systems that could provide opportunities for backets or the state of the

As authorized by the Bipartisan Safer Communities Act of 2022, Byrne SCIP provides formula funds to implement state crisis intervention court proceedings, ERPDs, and related programs or inhitatives, including, but not limited to mental health courts, drug courts, veteran treatment courts, and ERPO programs that work to keep guns out of the hands of those who pose a threat to themselves or others.

#### Structure of the Questionnaire

The Byrne State Crisis Intervention Program (SCIP) questionnaire contains performance measures and narrative (goals and objectives) questions. Complete the performance measures in the BJA Performance Measurement Tool (PMT) four times per year to report on your activity during the prior 3 months, also known as a reporting period. Complete the goals and objectives questions twice each year.

#### Roles and Responsibilities for Completion

BLA's expectation is that the person completing these questions will know the status and progress of all aspects of your Spyrns SCIP. Therefore, your agency's SCIP coordinator/grantee point of contact (POC), or another designated person with working knowledge of the SCIP project, should complete these questions on your SCIP initiative's behalf. Your agency should also consult with your research partner and other partner agencies to complete these responses.

#### Reporting Periods

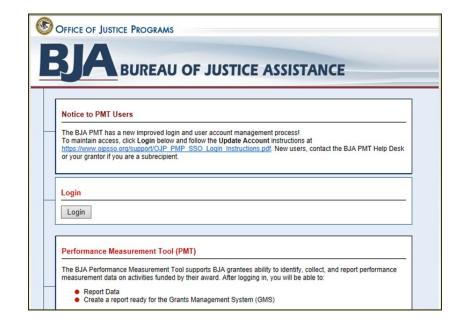
In July and January of each year, you will be responsible for creating a report from the PMT that you upload into the Justice Grants System (JustGrants). This is the JustGrants report. During the non-submission reporting periods, you are encouraged to create reports for your records, but you will not upload them to JustGrants. Enter your responses to the questions that follow in the PMT at <a href="https://www.bipperformancetools.org">https://www.bipperformancetools.org</a>, For questions regarding the PMT, data entry, and system errors contact the PMT Helpdesk via email at <a href="https://bustchestorgov.org/">https://bustchestorgov.org/</a> organization and statements.

If you have questions about your program, please contact your State Policy Advisor (SPA) at https://www.bia.gov/About/Contacts/ProgramsOffice.html.



## Where Do I Report?

- BJA's Performance Measurement Tool (PMT) is one of the online tools that facilitates performance reporting for BJA.
- Byrne SCIP Program grantees report performance measures quarterly (Jan/April/July/Oct) in the PMT until further notice.
- The report generated by the PMT is then uploaded into the Justice Grants system (JustGrants) twice a year (January/July).
- Access the PMT at: <a href="https://bjapmt.ojp.gov">https://bjapmt.ojp.gov</a>.





## When Do I Report?

Reporting Period	Data Required	PMT Deadline	Upload to JustGrants?
October 1-December 31	Performance Measures and Narrative Questions	January 30	Yes January 30
January 1-March 31	Performance Measures	April 30	No
April 1–June 30	Performance Measures and Narrative Questions	July 30	Yes July 30
July 1–September 30	Performance Measures	October 30	No
Last Reporting Period of Award	Performance Measures, Narrative Questions, and Closeout Questions	120 Days After Award End Date	Yes 120 Days After Award End Date



## What Data Do I Report?

#### **Byrne SCIP Questionnaire Structure**

The Byrne SCIP questionnaire contains performance measures and narrative (goals and objectives) questions. Within the questionnaire, there are three types of questions: multiple choice, multiple response, and open text.

- General Award Administration
- Grant Activity
- Partnership Activities
- Program Overview
- Crisis Intervention Programs and Other Related Programs and Initiatives
- Extreme Risk Protection Orders
- Training and Technical Assistance
- Semiannual Narrative Questions



#### **Partnership Activities**

- Grantees are required to establish a Crisis Intervention Program Advisory Board.
- If grantees have not established an advisory board, they will be required to explain what steps are being taken to establish an advisory board.

#### PARTNERSHIP ACTIVITIES

- 3. Have you established the required Crisis Intervention Program Advisory Board in place to help guide your program?
  - A. Yes
  - B. No
  - C. If no, please explain what steps are being taken to establish an Advisory Board:
- 4. Indicate which Advisory Board participants are actively engaged with your grant-funded program. Applicants must form a diverse board that includes, but is not limited to, representatives from law enforcement, the community, courts, prosecution, behavioral health providers, victim services, and/or legal counsel. [Carry-forward]
  - A. State law enforcement
  - B. Local law enforcement
  - C. Federal law enforcement (e.g., Federal Bureau of Investigation)
  - D. State prosecutors
  - E. Local prosecutors
  - F. Federal prosecutors (e.g., Assistant U.S. Attorney)
  - G. Attorneys General
  - H. Judaes
  - Behavioral healthcare providers
  - J. Victim services
  - K. Schools, colleges, universities
  - L. Community members
  - M. Other, please explain:



#### **Crisis Intervention Programs**

- Grantees will identify new or existing crisis intervention program activities using program funds.
  - Provide additional program activities in the "Other" row, if needed.
- Grantees will also identify if the grant funded measures to safeguard the constitutional rights of an individual subject.

#### CRISIS INTERVENTION PROGRAMS AND OTHER RELATED PROGRAMS AND INITIATIVES

 Please identify which of the following crisis intervention program activities took place (or will take place) using program funds for either a new program or the enhancement of an existing program. [Carry forward.]

Program Activities	New Program	Existing Program
Gun violence courts that connect clients who are at risk to commit gun violence or become victims of gun violence in crisis with community resources		
Other specialty courts (e.g., drug, mental health, and veteran treatment courts) that place a new or special emphasis on clients who are at risk to commit gun violence or become victims of gun violence		
Technology or information sharing solutions for ensuring public safety/public health stakeholders such as law enforcement, probation, prosecutors, the courts, and public defenders are informed when a prohibited person attempts to purchase a firearm.		
Development and implementation of validated gun violence risk assessment tools		
Assertive community treatment programs that provide case management, and navigation programs to connect at-risk individuals to crisis intervention services		
Triage services, mobile crisis units (both co-responder and civilian models), and peer support specialists		
Technological supports and/or telehealth initiatives (e.g., smartphone applications, teleconferencing) to help families and patients navigate mental health and related systems, technology solutions for telehealth visits outside the hospital		
Behavioral health responses and civil legal responses to support behavioral health responses to individuals in crisis (e.g., civil commitment treatment orders such as outpatient commitment or assisted outpatient treatment, establishment of guardians, confidentiality, and the duty to protect others – not ERPO programs)		
Other, please explain:		

- Please identify any additional crisis intervention program activities that took place (or will take place) using program funds for either a new program or the enhancement of an existing program. [Carry forward]
- 11. As of October 2023, this question is no longer required as part of the performance measures. This question has been replaced by question 12.
- Describe any measures taken to safeguard the constitutional rights of individuals subject to crisis intervention programs or initiatives implemented under this award.



## **Extreme Risk Protection Orders**

- If grantees did **not** use program funds to carry out Extreme Risk Protection Orders (ERPOs), the PMT will automatically skip the section.
- Court-based ERPO projects respond to additional questions.

#### EXTREME RISK PROTECTION ORDERS

Provide the following information regarding ERPOs requested during the reporting period.

- 14. During the reporting period, were program funds used to carry our ERPOs?
  - A. Yes
  - B. No (If No, skip to Training section)
- 15. Indicate the type of ERPO activity funded. Select all that apply.
  - A. Establishing new ERPO Program local
  - B. Establishing new ERPO Program state
  - C. Establishing new ERPO Program tribal
  - D. Enhancing ERPO Program local
  - E. Enhancing ERPO Program state
  - F. Enhancing ERPO Program tribal

For questions 20 through 27, please provide the following information regarding ERPOs requested during the reporting period. Questions 20-24 only apply to court-based programs that are establishing or enhancing ERPO activities. If you are not a <u>court-based</u> ERPO project, you may skip questions 19-24.

- 19. Types of petitioners: Select all that apply.
  - A. Not a court-based ERPO project (skip questions 20-24)
  - . Person related by blood, marriage, or adoption to the respondent
  - Dating partner of the respondent
  - Person who has a child in common with the respondent
  - E. Domestic partner of the respondent
  - F. Person who has a biological or legal parent-child relationship with the respondent
  - Person who is acting or has acted as the respondent's legal guardian
  - H. School administrators
  - Law enforcement
  - J. District attorneys
  - K. Other, please explain:



#### **Narrative Questions**

- Grantees are required to complete the Narrative Questions in January, in July, and at the end of the close of their award.
- In the Narrative section, grantees can highlight their accomplishments and discuss their challenges.

#### SEMIANNUAL NARRATIVE QUESTIONS

In this module, you will identify the goals you hope to achieve with your funding. Once submitted, these goals cannot be changed without approval of your grant manager.

Set S M A R T goals to clarify the scope of your priorities:

- Specific
- Measurable
- Achievable
- Relevant
- Time-bound

If you have multiple goals, provide updates on each on separately

Answer the following questions every semiannual reporting period (January and July of each year), based on your grant-funded activities.

- 1. What were the top three accomplishments this program had during the reporting period?
- 2. What were the top three goals you focused on during this reporting period and what progress did you make towards those goals?
- List two problems/barriers you encountered within the reporting period that prevented you from reaching your goals or milestones? If you encountered no problems during this reporting period you may leave this question blank.
- 4. Is there any assistance that BJA can provide to address any problems/barriers identified in question 3?
  - A. Yes/No
- B If Ves explain
- 5. Are you on track to complete your program fiscally and programmatically as outlined in your grant application?
- A. Yes/No
- B If No explain
- 6. What major activities are planned for the next 6 months?
- Based on your knowledge of the criminal justice field, are there any innovative programs/accomplishments that you would like to share with BJA regarding this initiative?

THANK YOU FOR PARTICIPATING!



## **Defining Goals and Objectives**

#### **Setting Goals Best Practices:**

- Well-defined goals clarify priorities and establish criteria for success.
- Set SMART goals to clarify the scope of your priorities.
- Revaluate goals semiannually to determine whether changes to program priorities and activities require updates.
- Use data to understand your progress toward your goals and make course corrections as needed.

#### **SMART GOALS**



#### **SPECIFIC**

State exactly what you want to accomplish.



#### **MEASURABLE**

Use smaller, mini-goals to measure progress.



#### **ACHIEVABLE**

Make your goal reasonable.



#### **REALISTIC**

Set a goal that is relevant to your program.



#### TIMELY

Give yourself time but set a deadline.



## **Defining Goals and Objectives**

#### Great Goals but Needs Improvement

- "Hold a community meeting."
- "Interview community members."
- "Implement a program."

#### **SMART Goal Examples**

- "Implement a crisis intervention program utilizing risk assessment tools and community treatment programs to assist individuals experiencing crises."
- "Increase the number of guns removed from people who pose a threat to themselves or others."
- "Decrease the number of people at risk to themselves or others from accessing firearms."



## **Ensuring Data Quality**

- Designate staff for coordination of the performance data collection.
- Ensure that designated staff participate in trainings.
- Review the performance measure questionnaire before entering data.
- Review, edit, and validate data with subrecipients before submission.
  - Subrecipients entering their own data can use skip logic or enter '0' to skip questions that are not relevant to their subaward.
- Be mindful of the validation alerts built into the JustGrants questionnaire and verification outreach by the PMT Helpdesk.



## **Byrne SCIP Data Spotlight**

#### **Fiscal Year 2023 Reporting**

- Of 51 Byrne SCIP prime recipients, 10
   (20%) indicated funded activity in addition to conducting planning activities.
- More grantees and subgrantees are reporting in FY 2024.
- Byrne SCIP data dashboard TBD!

## Active grantees (n=10) reported their Byrne SCIP funding will support (not mutually exclusive):

- > Extreme Risk Protection Order Programs (10%)
- ➤ Specialized court-based programs (i.e., drug, mental health, and Veterans treatment courts) (40%)
- ➤ Other related programs and initiatives\* (60%). (\*Other responses included behavioral health deflection training; gun violence/safety outreach and community initiatives; gun violence and firearm related suicide research; safe storage; and partnership with the Department of Natural Resources.)

## The top 3 advisory board participants that were actively engaged included:

- > Victim services (100%)
- ➤ Behavioral healthcare providers (88%)
- Community members (88%)



## **Contact Information and Resources**

#### **BJA PMT HELPDESK**



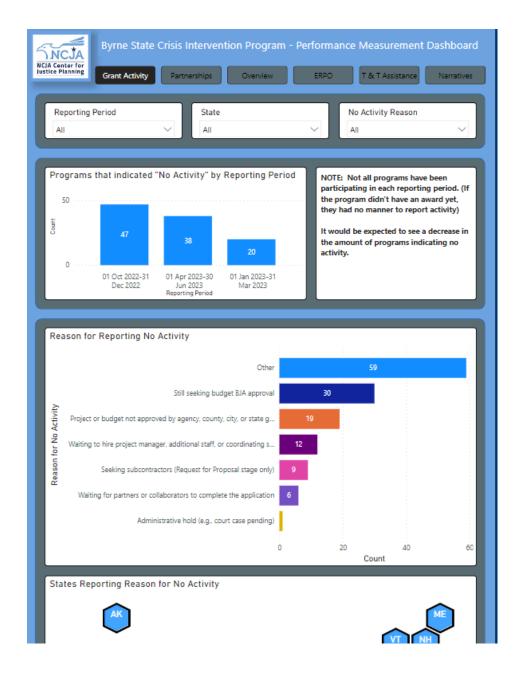
Monday-Friday
8:30 a.m.-5:00 p.m. Eastern Time
Closed on federal holidays
bjapmt@usdoj.gov

#### WEBSITES

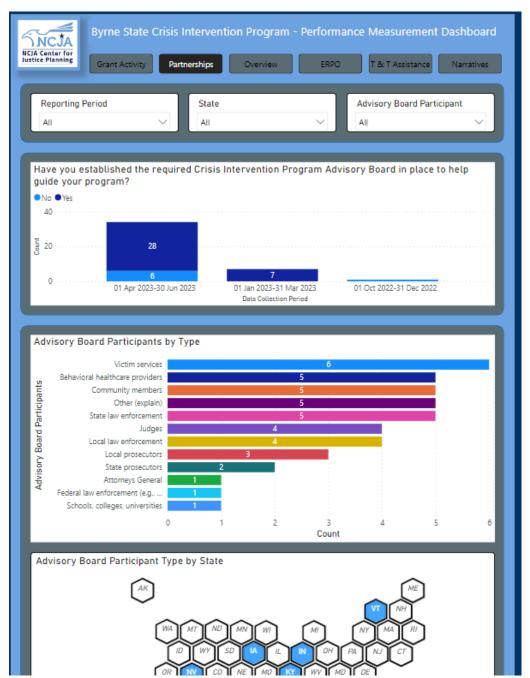
- Office of Justice Programs
- BJA Performance Measures
- OJP Grant Performance Measurement and Progress Reporting Information Portal
- Performance Measurement Tool
- BJA YouTube Channel

Thank you for your hard work and dedication!

## Byrne SCIP PMT Dashboards









# NCJA Center for Justice Planning

**Our SCIP TTA** 

Strategicplanning@ncja.org

- Direct assistance in helping Byrne SCIP recipients and subrecipients build capacity to collect and report data as it relates to implementing crisis intervention programming.
- Preparing SAAs receiving Byrne SCIP funds for potential participation in an evaluation on the effectiveness of state crisis intervention programs in preventing gun violence and firearm-related suicide.
- Assisting Byrne SCIP SAAs in the planning and creation of their state Byrne SCIP advisory boards.
- Helping SAAs strategically plan for the use of SCIP funds, including program plan guidance, priority identification surveys for boards, resources, and creating stakeholder engagement plans.



# Current Opportunities to Engage with Us:

- BJA Website
- NCJA Website

# Request Training and Technical Assistance:

https://www.ncja.org/byrne-scip

## **COMING SOON!**

- Byrne SCIP Resource Website
- More Resource Documents



# Questions?







Thank you! Please provide your feedback!