

How State Administering Agencies Use Byrne JAG Funding to Protect Public Safety, Prevent Crime and Reduce Recidivism

The Edward Byrne Memorial Justice Assistance Grant program (Byrne JAG), administered by the U.S. Department of Justice’s Bureau of Justice Assistance, serves as the nation’s cornerstone justice assistance grant program, supporting the federal government’s crucial role in improving state and local justice systems by spurring innovation and by testing and replicating evidence-informed practices in crime control and prevention. States, localities and tribal nations deploy Byrne JAG funding against their most pressing public safety challenges, to design complete programs or fill gaps, to leverage other resources and to work across city, county and state lines.

Byrne JAG funds are invested broadly across the criminal justice system for prevention, diversion, enforcement, courts, prosecution and defense, corrections, victim assistance, mental health and substance use disorder treatment and other community-based support. Byrne JAG-funded programs contribute to improving the administration of justice, reducing incarceration, enhancing fairness, improving outcomes for the justice-involved and saving taxpayer money.

2020 Byrne JAG State Spending Study:

Under the statutory formula, 60 percent of a state's allocation is awarded to the state administering agency (SAA), the majority of which must be subawarded to, or through, local governments. In FFY20, Congress appropriated a total of \$349 million for the Byrne JAG program. Of this, \$163 million was awarded by the statutory formula to the states and territories. For additional information on the JAG formula award calculation, see [NCJA's description of the JAG program formula](#).

Financial data for this report was submitted by 41 states and the District of Columbia, accounting for over \$121 million invested across eight program areas.¹ A ninth program area, focused on state crisis intervention programs, was added in 2022 by the Bipartisan Safer Communities Act. This spending study reflects only the state-level JAG allocations, not the local allocations.

Data Reporting Limitations:

Due to special circumstances, the data available for this brief was incomplete and should not be used to describe comprehensive national Byrne JAG investments in this federal fiscal year.

Including D.C., 42 states indicated that they allocated Byrne JAG funds in FFY20.² Fourteen states/territories did not participate in the survey or were not able to provide complete data for this report. Between July 2017 and May 2021, nine states were affected by litigation over immigration-related conditions imposed on Byrne JAG and other grant programs. Of these nine states, six did not allocate any funds during FFY20 and the remaining three states continued to spend previous years of Byrne JAG funding during this period.

2020 Reported Investments By Program Area

Total Reported Investment = \$121,142,240

42 states reporting



¹ The NCJA team began data collection for this document in November of 2021 by circulating a Survey Monkey link. The survey requested that states indicate how they allocated Byrne JAG funds in FFY2020 across all program areas. Most responses were gathered in late 2021, with a few responses occurring through July of 2022.

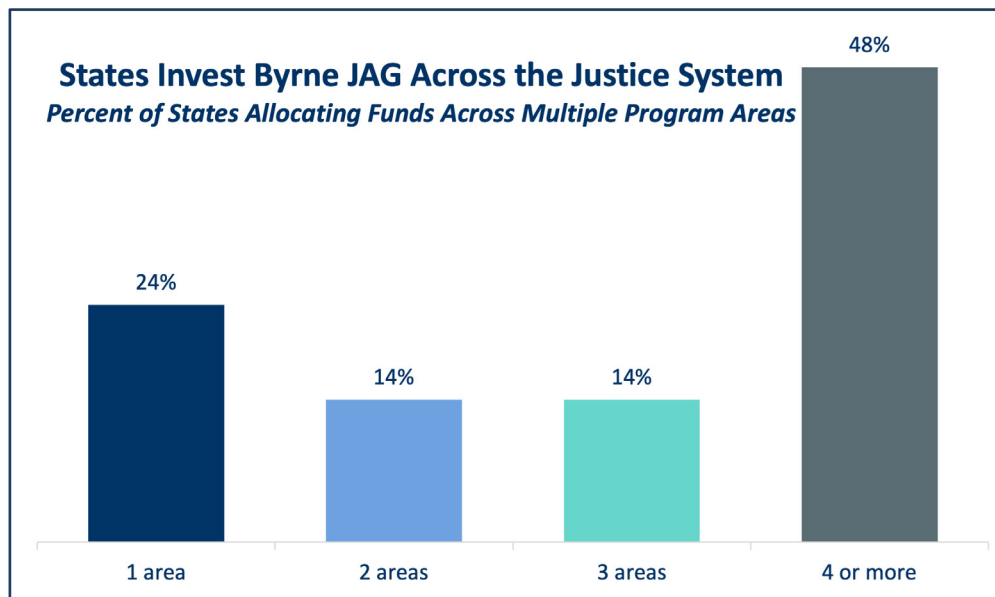
² The number of states for which data was received (the n value) is presented with each analysis. The margin of error for this analysis is no greater than or equal to (+/-) .003% or (+/-)\$335 thousand.

Byrne JAG Program Areas

The hallmark of the Byrne JAG program is its flexibility. As of 2023, SAAs can invest in nine broad program areas. In FFY20, funds could be invested across eight program areas spanning the criminal and juvenile justice systems. Those program areas included:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation and technology improvement programs
- Crime victim and witness programs (other than compensation)
- Mental health, including behavioral programs and crisis intervention teams

In the reporting period, more than 62 percent of states invested in at least three program areas, and 48 percent invested in four or more, extending the reach of program dollars across the justice system (see chart below).



*The above graph represents all states and the District of Columbia (n=42) that reported investing in one of the eight program areas (prior to the addition of the ninth program area). The results indicate that 10 states invested in one program area, six states in two areas, six states in three program areas and 20 states in four or more areas.

Spending Within Program Areas

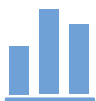
It is important to note that, for reporting purposes, Byrne JAG investments are reported to a single program area even if the initiative or program could be better described under multiple program areas. For example, many diversion, prevention, violence reduction and drug treatment programs are led by law enforcement agencies and are therefore reported under the law enforcement program area, even though the purpose of the program might be better described otherwise.



Law Enforcement Programs

- JAG allows states to address the most pressing needs of local law enforcement
- Funding can support prevention, diversion, officer overtime and cross-agency collaboration

The **law enforcement** program area covers a wide range of activities, including equipment, personnel, training, and creating and maintaining multijurisdictional task forces and law enforcement-led diversion and prevention programs. In recent years, law enforcement spending has accounted for about half of all state Byrne JAG spending. In FFY2020, 84 percent of reporting states invested in the law enforcement program area, accounting for 50 percent of all reported state Byrne JAG spending.



Planning, Evaluation and Technology Improvement Programs

- Every state is required to develop a statewide strategic plan to inform JAG funding
- SAAs invest in a range of technology and data analysis needs to improve crime solving and data reporting

In FFY2020, slightly fewer than half of all reporting states indicated spending for **planning, evaluation and technology improvement**, accounting for eight percent of all Byrne JAG spending in that year. Examples of projects include strategic planning and outcomes measurement efforts and information-sharing and crime analysis technology.



Prosecution and Court Programs, including Indigent Defense

- The nation's first drug court began as a Byrne JAG pilot program
- This program area can be used to fund technology to improve or enhance virtual court operations

The **prosecution and court** program area, which includes **indigent defense**, encompasses efforts such as public defender case management systems, public defenders funded to support specific populations, prosecution initiatives focused on gang and drug cases, prosecutor education, and specialty and problem-solving courts focused on veterans and mental health and substance use disorders. In FFY2020, over half of states invested funds in this area, consisting of 11 percent of all spending.



Corrections, Community Corrections and Reentry Programs

- Byrne JAG is an important source of federal funding that communities leverage to reduce recidivism
- This program area supports referrals for treatment, transitional housing and other reentry programs

The **corrections, community corrections and reentry** program area is broad, covering such programs and activities as diverse as diversion from arrest and incarceration, custodial educational programming, training community corrections personnel, reentry initiatives and mental health and substance use disorder treatment programs.

In FFY2020, more than a third of states invested Byrne JAG funds in these programs, accounting for eight percent of all reported spending.



Drug Treatment and Enforcement Programs

- JAG supports multi-agency efforts to combat high-level drug, gang and human trafficking crimes
- States support a wide range of substance use disorder needs in jails, prisons and in the community

The **drug treatment and enforcement** program area consists of a wide array of activities, ranging from education programs, diversion and deflection initiatives, residential substance use disorder treatment programs and medication-assisted treatment to trafficking interdiction efforts, cross-agency coordination initiatives and intelligence-sharing efforts. During this time frame, 40 percent of states invested Byrne JAG funds in this area, accounting for 15 percent of total reporting.




Prevention and Education Programs

- Crime prevention is interwoven across all Byrne JAG program areas
- This federal funding works in conjunction with other juvenile justice funding to prevent at-risk youth from engaging in crime

The **prevention and education** Byrne JAG program area supports a vast variety of system programming.

Programs that fall under this program area include gang prevention, community engagement and safe streets programming and gun violence reduction initiatives. In FFY2020, 35 percent of states invested in this area, accounting for six percent of spending.



Crime Victim and Witness Programs (other than compensation)

- In some states, Byrne JAG works in tandem with the Victims of Crime Act and Violence Against Women Act funding to provide comprehensive services to victims of crime

Crime victim and witness programs include initiatives focused on restorative justice, victim advocacy services, cyber-stalking investigation and domestic violence education and training, among others. In this time period, 19 percent of states indicated spending Byrne JAG funds in this area.



Mental Health, including Behavioral Health and Crisis Intervention Programs

- Congress added this program area in 2017 to focus funding at the intersection of criminal justice and behavioral health
- States are increasingly considering programs in this area

Twelve percent of reporting states invested in the **mental health** Byrne JAG program area in FFY2020.

This program area, which also includes **behavioral health and crisis intervention programs**, was created in 2017 by Congress in response to the opioid crisis and in recognition of the importance and volume of mental and behavioral health treatment programs in criminal justice. Mental and behavioral health interventions are routinely mentioned by SAAs as an area of great interest and need, including during strategic planning work. Programs that fall under this program area include assessment and diversion initiatives, education/prevention and community and secure-facility based treatment.

Overview of 2020 Byrne JAG Investments by Program Area

Program Area	% of reported 2020 spending	Avg spent in 2020	Number of states	% of states that spent in this area
Law enforcement programs	50%	\$ 1,694,251	36	84%
Drug treatment & enforcement programs	15%	\$ 1,061,107	17	40%
Prosecution and court programs, including indigent defense	11%	\$ 587,358	22	51%
Planning, evaluation, and technology improvement programs	8%	\$ 496,577	20	47%
Corrections, community corrections and reentry programs	8%	\$ 637,762	16	37%
Prevention and education programs	6%	\$ 468,816	15	35%
Crime victim and witness programs	1.0%	\$ 157,836	8	19%
Mental/behavioral health & crisis intervention team programs	0.6%	\$ 151,572	5	12%

NCJA's Training and Technical Assistance Program

Congress mandates that the Bureau of Justice Assistance (BJA) provide training and technical assistance (TTA) to state administering agencies (SAAs) on planning strategically for the use of Byrne JAG funds. SAAs are required to engage a wide range of system partners in this strategic planning process. The National Criminal Justice Association (NCJA) conducts TTA and provides support to states and territories in strategic planning processes, crime and data analysis, stakeholder engagement and data and evidence-informed practices and policies.

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