

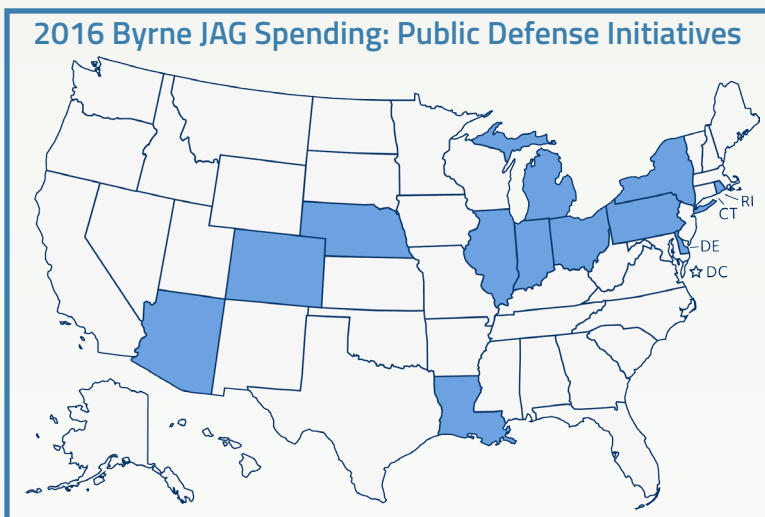
How States Invest Byrne JAG in Public Defense

The Byrne Justice Assistance Grant Program

The cornerstone of federal support for state and local justice systems, the Byrne Justice Assistance Grant program (Byrne JAG) is a federal-state-local partnership enabling communities to target resources to their most pressing local needs. Byrne JAG is used broadly for law enforcement, prosecution, indigent defense, courts, prevention and education, corrections and community corrections, drug treatment and enforcement, planning evaluation and technology, mental health services, and crime victim and witness programs. This breadth and flexibility means states and local communities can use Byrne JAG to balance resources and address problems across the entire criminal justice system, and to react quickly to urgent challenges and changing circumstances. The Byrne JAG program, administered by the Bureau of Justice Assistance (BJA), U.S. Department of Justice, provides grant funding to thousands of justice and public safety agencies and initiatives each year. To learn more about Byrne JAG visit: <http://www.ncja.org/ncja/policy/about-byrne-jag>.

2016 Byrne JAG Spending Study

Financial estimates and program examples were gathered as part of the 2016 Byrne JAG Spending Study conducted by the National Criminal Justice Association. Financial data was submitted by and qualitative interviews were conducted with all 50 states and the District of Columbia. This information was self-reported and additional states may also use Byrne JAG funds for a specific project type.



Support for Public Defense Initiatives

Byrne JAG funding supported public and indigent defense initiatives in at least 12 states, highlighted in dark blue on the map. This was an investment of over \$1.8 million in total Byrne JAG funding in 2016. These initiatives included the expansion of defender services, additional defender positions, legal and case management programs, system evaluations, alternative sentencing social worker positions, and training programs for public defenders.

Examples of Public Defense Projects

- In Indiana, Byrne JAG funds facilitated the implementation of public defender case management programs in Lake Lawrence, Marion, St. Joseph and Vigo counties in addition to three regional case management programs serving 29 rural counties in Indiana. Case managers assist defendants in accessing substance abuse and mental health treatment in preparation for diversion, sentencing and reentry.
- In Delaware, funds support a public defender to work specifically with juveniles who are eligible for release from mandatory sex offender registration.

Byrne JAG grants are a catalyst for collaboration within communities and across states. This cross-jurisdictional model is being replicated across the country to tackle cross-boundary crimes, like drug and human trafficking and cyber crime, while saving money and increasing efficiency.

- In New York, funding is used to support public defense projects in New York City and Erie, Onondaga, Monroe, Nassau, and Suffolk counties. Funding supports: expanded indigent defense services, legal and case management services to reduce pre-trial incarceration, representation and advocacy for treatment alternatives for non-violent offenders, parole revocation defense services, sex crimes representation in a specialized Sex Offender court, and domestic violence, veterans, and mental health courts.
- In Louisiana, Byrne JAG funds support an external consultant position for the Louisiana Public Defender Board to complete a process evaluation and produce a comprehensive financial management handbook. The project's intent is to improve the effectiveness and efficiency of the public defender system.
- In Ohio, funds support an alternative sentencing social worker position in the Athens public defender's office. The social worker works with individuals awaiting adjudication and those currently on community supervision. Funds support mental health and substance abuse assessment, targeted case management and referral services.
- The Public Defenders Association of Pennsylvania uses Byrne JAG funds to enhance defense capabilities by hosting large training programs that provide intensive training on Trial Advocacy Skills; Litigation Skills for New Public Defenders and a Capital Case Program and are attended by Assistant Public Defenders throughout Pennsylvania.
- In Rhode Island, funds support the Defender Advocacy Project, through the RI Public Defender's Office, which provides representation to indigent individuals held on bail

or facing imminent incarceration. The program serves individuals facing incarceration for reasons that do not constitute direct criminal prosecution, (i.e. warrants, failure to provide restitution, violation of probation, etc.).

- Byrne JAG funds in Illinois support the Rural Defense Services Program, which provides public defenders in counties of less than 200,000 residents with resources to hire investigators, medical consultants, psychiatrists, and other experts to assist in the defense of indigent clients.

How Byrne JAG Funding is Awarded:

Sixty percent of the overall Byrne JAG grant is awarded to the state criminal justice planning agency (known as the State Administering Agency or SAA), which, in turn, awards the funding, to local governments and non-profit service providers; the remaining 40 percent goes directly from the U.S. Department of Justice, Bureau of Justice Assistance to local communities based on population and crime data.

Funding is authorized at \$1.1 billion annually. At its peak in FY02, Congress appropriated \$830 million. In subsequent years, funding held steady at about \$500 million. The American Recovery and Reinvestment Act in FY09 provided a one-time boost of \$2 billion. Since FY10, funding has dropped by about one-third. In FY17 the program was funded at \$335 million.

States and local communities use Byrne JAG funds to address needs and fill gaps across the entire justice system – in prevention, enforcement, courts, prosecution, indigent defense, corrections, crisis intervention and behavioral health services, victim assistance, and other community-based supports and services.

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