



Episode 16: A Conversation with BJA: Program Areas and the Byrne JAG Solicitation

Published: August 11, 2022

Intro:

Welcome to the NCJA Podcast. This podcast series explores promising practices, provides guidance on strategic planning and discusses how the Byrne Justice Assistance Grant program, or Byrne JAG, contributes to improving justice systems across the country. We hope you enjoy it.

Allison Badger:

Hello everyone. My name is Allison Badger. I am a program director at the National Criminal Association, and it is Byrne JAG season. Solicitations are out, applications are in and criminal justice funding decisions are being made all around the country as we speak.

I am so thrilled to be joined by Byrne JAG expert, Tarasa Napolitano of grants management specialist and state policy advisor for the Bureau of Justice Assistance or BJA, as we say, and she is here to talk all things Byrne JAG for 2022. Welcome Tarasa.

Tarasa Napolitano:

Hi, thank you for having me.

Allison Badger:

If I remember correctly, you have worked on the Byrne JAG program at BJA for about a decade now, is that right?

Tarasa Napolitano:

That is correct. I've been here for a while.

Allison Badger:

Well, then that must mean you are an expert among experts. Why don't we just jump right into the information, and just a reminder for our listeners, the Edward Byrne Memorial Justice Assistance Grant, or Byrne JAG, is the primary provider of federal criminal justice funding to state and local jurisdictions.

Administered by DOJ, Office of Justice Programs and BJA, the Byrne JAG's program supports the federal government's crucial role in spurring innovation, as well as testing and replicating evidence-based practices in criminal justice nationwide. So Tarasa, I wanted to ask you; the Byrne JAG solicitation mentions both program areas and areas of emphasis. Can you talk a little bit about the difference between the two?

Tarasa Napolitano:

Of course. So each year we have eight program areas that are outlined in the JAG statute and are statutorily required that are incorporated into the solicitation. According to the statute, all funding for JAG must fit into the nexus of one of these program areas. These program areas are broad and they



cover a broad spectrum of the criminal justice system. Everything from mental health to law enforcement programs, to prosecution and victims program. These areas are consistent from year to year and only change when the authorizing language of JAG is revised by Congress. So it literally takes an act of Congress to change the statute and these program areas. And in fact, we had such a change this year. We have added a ninth program area. It was added as part of The Bipartisan Safer Communities Act, which was enacted after the solicitation posted. So you will not see it in the solicitation this year.

However, we will be updating guidance on the website and more information is to come on this new program area. This program area is implementation of state crisis intervention court proceedings, and related programs or initiatives. In addition, work to support civil proceedings in any of the identified program areas is now allowable. This podcast is solely going to focus on the FY22 state JAG solicitation, and is not intended to really go into discussion about this Byrne state crisis intervention funding appropriation. As I said, additional information is forthcoming and there will be an additional solicitation for that funding forthcoming.

The areas of emphasis typically change from year to year and are based on administration and department priorities. And they tend to have a more specified purpose. The areas of emphasis are not a requirement, but are more of a suggested use of how funds can be leveraged under the JAG program umbrella.

Allison Badger:

That is so helpful. Thank you for that. Could you explain why the areas of emphasis are important and where they come from?

Tarasa Napolitano:

Sure. So we typically include four to five areas of emphasis in the JAG solicitation each year. And these are determined based on priorities of the administration, department or OJP leadership. Of course, congressional interests communicated through discussions with [inaudible 00:04:48] members and staff, as well as authorizing and appropriation legislation are also important factors in driving these areas of emphasis.

BJA recognizes that many state and local criminal justice systems are currently facing challenging fiscal environments and that an important cost effective way to relieve these pressures is to share or leverage resources through cooperation among federal state and local law enforcement. BJA encourages state recipients to join federal law enforcement agencies in addressing these challenges through these areas of emphasis.

Allison Badger:

That's wonderful. Can you provide a brief overview of what the areas of emphasis are for this solicitation?

Tarasa Napolitano:

Of course, I'd love to. So this year we actually have six areas of emphasis. So this is the most we've ever had. The first is combating hate crime. Hate crime, sometimes called bias motivated crimes, are criminal offenses motivated by some form of bias toward victims based on their perceived or actual race, color,



religion, national origin, sexual orientation, gender, gender identity, or disability. BJA encourages JAG recipient to use funding to prioritize efforts, to identify, investigate, report and prevent hate crimes and hate incidents, increase public awareness and expand the reporting of hate crimes, enhance the capacity of law enforcement and prosecutors to prevent and address hate crimes through education, training, and tools to investigate and prosecute hate crime.

The second area of emphasis this year is promoting public trust between communities and criminal justice agencies. For many communities, recent high profile incidences of excessive uses of force have contributed to strained relationships and a lack of confidence in law enforcement, courts and prosecutors. BJA encourages state, local and tribal jurisdictions to use JAG funding in support of projects that aim to partner police and community organizations, and advance constitutional policing practices and create the transparency and accountability necessary to build public trust.

The third area of emphasis this year is reducing violent crime. In June of 2021, the Biden-Harris Administration announced a comprehensive strategy to prevent and respond to gun crime and ensure public safety and stem the flow of firearms used to commit violence. Recognizing that violent crime and the drivers of that crime vary from community to community, BJA encourages JAG grantees to invest funds to tailor programs and responses to state and local crime issues, such as using data and analytics, leveraging funding from PSN programs and coordinate and partner with ATF, FBI, U.S. Marshalls and DHS. And lastly partner with law enforcement and prosecutors.

In addition, in June 2021, DOJ issued guidance regarding threats against election workers and launched a task force to address the rise in such threats. BJA also sent a letter to SAA directors clarifying that JAG funds can be used to deter, detect and protect against threats of violence against election workers, administrators, officials, and other associated with the electoral process. BJA encourages recipients to use funds to prevent and respond to violent threats of this kind.

The fourth area of emphasis is the Community Violence Intervention. In April 2021, as I mentioned earlier, the Biden-Harris Administration announced historic investments in Community Violence Intervention. CVI, as it's also known, efforts to combat the gun violence epidemic. CVI is an approach that uses evidence informed strategies to reduce violence through tailored community centered initiatives. BJA encourages JAG recipients to invest JAG funds to tailor programs and responses to CVI, to build strong sustained partnerships with community residents and organizations to support CVI work and communities most impacted by violent crime.

The fifth area of emphasis this year is addressing COVID 19 criminal justice challenges and sustaining interventions. During the pandemic, we saw an increase in court backlogs due to shutdowns resulting from community mitigation policy. To address these backlogs and other consequences of the necessary mitigation policies, state, local and tribal agencies created innovative ways to administer justice. While many of these innovations had an upfront cost, they hold significant potential to be cost saving and efficient over time. It's important for state, local and tribal agencies to sustain interventions and improve both efficiency and effectiveness of justice system operations. And so BJA encourages JAG recipients to use these funds for continued innovation and sustainment activities, and to continue to address the backlog of these cases.

And the sixth and final area of emphasis this year is crime analysis and investigation. Law enforcement agencies that have robust analysis capabilities are better able to focus their limited resources in ways that directly improve public safety while protecting the rights of civilians. BJA



encourages JAG recipients to use funds to support crime analysis efforts, including the hiring of cyber crime analysts and investigators, as well as cyber crime training for state and local law enforcement and emergency dispatch personnel.

Allison Badger:

Thank you for that. And just to recap, we have six areas of emphasis; combating hate crime, promoting public trust between communities and criminal justice agencies, reducing violent crime, community violence interventions, addressing COVID 19 criminal justice challenges and sustaining innovations and crime analysis and investigation.

And all of those are so critical right now, and feel very timely and relevant to the needs out there. They really highlight why it's so important to pay attention to the areas of emphasis each year. So thank you so much for that great information. Moving into the solicitation a little more generally, while it seems that this year's solicitation is mostly the same as last year's, what are some of the changes that came out?

Tarasa Napolitano:

Well, you are correct. Most of it is the same as last year and while most of the solicitation is the same, there are two main updates from last year. The first is the NIBRS 3% set aside requirement, which is no longer required. The NIBRS, which is the National Incident-Based Reporting System that collects crime data on behalf of the FBI. This data is in turn used to run the JAG formula. To promote state compliance during this transition, 3% of the state and local budget was required to be set aside for compliance purposes if the agency was not certified compliant by the [inaudible 00:11:57]. At this point, all 50 states are compliant at the state level and some of the territories are also now NIBRS compliant. However, there is still work to do at the local level to achieve compliance. It is really imperative for states to continue to work with locals, to certify compliance as this data will be used for formula calculations.

Another change this year is the transition from DUNS to UEI. So on April 4th, 2022, the federal government stopped using the DUNS number and started using the Unique Entity Identifier, or UEI, as the primary means of identifying entities registered for federal awards in SAM, or the System for Award Management.

Once issued your entity SAM, UEI will not change. All DUNS numbers have been moved from SAM. So if your entity is registered in sam.gov today, your entity already has a unique entity ID, and you can view it in sam.gov, SAM registration will continue to require annual renewal. JustGrants will automatically pull entity information from SAM so recipients will not have to duplicate efforts in JustGrants. And just as a heads up, we have had reports from SAM that there is a tremendous backlog of new and updated registration requests due to this transition. So what took sam.gov seven to 10 days could now take two weeks or longer. So we advise applicants to start or update their sam.gov registration immediately knowing that this process to acquire or update your sam.gov registration is taking longer than usual due to high demand.

We've also expanded the additional uses of JAG fund section to the solicitation to include support of efforts to seal and expunge criminal history information in accordance with state laws and policies, and support efforts to attract and retain an all inclusive, diverse, expert and accountable law enforcement workforce. Additional uses include the purchase of gunfire detection technology, humane remote restraint devices, and virtual reality deescalation training.



Allison Badger:

Wow, those changes are really important. Thank you for that. So we at NCJA get this question quite a bit. So would you mind telling us what the difference between the strategic plan and the annual report is?

Tarasa Napolitano:

Sure. So a strategic plan is a comprehensive state plan detailing how grants will be used to improve the administration of the criminal justice system. The strategic plan should be updated every five years and it should engage stakeholders across the criminal justice system to describe how the state will allocate funding within the JAG program areas that we referenced earlier, and also describe the goals that will be accomplished, and the process for achieving those goals, and any barriers in implementation.

An annual report is required in the years in between full strategic plan updates and is intended to provide a summary update of the program implementation efforts, as outlined in the strategic plan. The annual report should really discuss accomplishments of the goals identified in the strategic plan. Generally, the annual report should also describe how the state plans have adjusted within each of the JAG program areas.

Allison Badger:

Thank you for that. Sometimes that can be a little confusing. And I do just want to plug NCJA real quick; if anyone has any strategic planning needs, don't forget to reach out to us at any point in time. For SAAs who may have questions and/or want updates on their application, or maybe some help with reporting, where do they go?

Tarasa Napolitano:

That is a great question, and a question we get a lot as well. So the best place to go for any and all JAG information is the JAG webpage. We keep this current and up to date as new information comes in, and that website is www.bja.gov/jag. The landing page will provide an overview of the entire JAG program, how it started, and a lot of great resource document links, such as the JAG fax sheet, FAQs and the technical report. Funding information, such as state and local allocation amounts, and program solicitation can also be found here. So it's a great resource of information.

The best resource outside of the JAG website is your state policy advisor. Each state and or territory is assigned a state policy advisor to assist with questions and help if needed. So these are also the people that will process your grant adjustments, and advise you on budgets and that sort of thing... Review and help with reports. So it is important to know who this person is. Each state in our territory is assigned a state policy advisor to assist with questions and help is needed. So contact information can be found in the contact and resources link on the right hand side of the webpage.

Allison Badger:

Super helpful. And I know anytime we've ever had any questions, BJA has always been so gracious in answering all of our questions. So I hope no one hesitates when it comes to reaching out. So NCJA has also been doing a lot of work around braided funding and why it's important for sustainability. And so



related to that, what are some other federal grants, specifically those released through BJA, that Byrne JAG can be paired with to make the most impact?

Tarasa Napolitano:

This is another great question. Because JAG is so broad and can cover a multitude of programs across the criminal justice system, it can really pair with almost any program that BJA offers. A few that might be of particular interest are the Community Based Violence Intervention and Prevention Initiative. This initiative seeks to prevent and reduce violent crime in communities by supporting comprehensive evidence-based intervention and prevention programs based on partnerships among community residents, local government agencies, victim service providers, community based organizations, law enforcement, hospitals, researchers, and other community stakeholders. This is also, you'll find, one of our areas of emphasis focuses on this program as well, so this is definitely one we wanted to highlight.

Another great program is the Comprehensive Opioid, Stimulant, and Substance Abuse Program, or COSSAP for short. Formerly it was known as COAP, so Comprehensive Opioid Abuse Program, now COSSAP. COSSAP's purpose is to provide financial and technical assistance to states, units of local government and Indian tribal government to develop, implement, or expand comprehensive efforts to identify, respond to, treat and support those impacted by illicit opioids, stimulants, or other drugs of abuse.

The third program that would pair very nicely with JAG would be the Justice Reinvestment Initiative, or JRI. JRI is a data driven process to improve public safety by helping jurisdictions make more effective and efficient use of criminal justice resources to address the complex factors that drive crime and recidivism.

The last program I'd like to emphasize is the Mass Violence Advisory Initiative. The Mass Violence Advisory Initiative equips law enforcement leaders and their communities with expert assistance, guidance, and rapid response resources in the event of targeted acts of mass violence.

Allison Badger:

Wow. Thank you so much for that. That was so much amazing information. You really are a true expert and this is going to be so, so helpful for our listeners. I think we should do this every year. What do you think?

Tarasa Napolitano:

That will be fabulous. I would love to do this again.

Allison Badger:

Awesome. So then I will just wrap it up by saying we really look forward to having you back next year.

Tarasa Napolitano:

Fantastic. Thank you so much, Allison.