



Cornerstone for Justice: How States Use Byrne JAG Funding to Protect Public Safety, Prevent Crime and Reduce Recidivism

The Byrne Justice Assistance Grant program (Byrne JAG) is 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-based 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 improves the administration of justice, reduces incarceration, enhances fairness, improves outcomes for the justice-involved and saves taxpayer money.

How Byrne JAG Funding is Awarded:

Byrne JAG funds are awarded by a formula based on each state’s population and crime rate. Sixty percent of a state’s allocation is awarded to the state criminal justice planning agency (known as the State Administering Agency, or SAA) which, in turn, makes the funding available to local governments and non-profit service providers. The remaining 40 percent of the state’s allocation is awarded by the U.S. Department of Justice, Bureau of Justice Assistance (BJA) directly to over 1,000 eligible units of local government based on crime data.

Funding is authorized by Congress at \$1.1 billion, though annual funding has never reached that level. At its peak in FY02, Congress appropriated \$830 million. Until FY10 funding held steady at about \$500 million annually but has since dropped by about one-third. In FY18, the program was funded at \$340 million.

2018 Byrne JAG Spending Study:

Financial estimates and program examples were gathered

as part of the 2018 Byrne JAG Spending Study conducted by the National Criminal Justice Association. Financial data was submitted by and qualitative interviews were conducted with 41 states and the District of Columbia, accounting for nearly \$110 million in spending.

Immigration-Related Litigation:

Due to special circumstances, the data and analysis provided in this brief is incomplete and should not be used to describe comprehensive national Byrne JAG investments in 2018.

As a result of litigation over immigration-related conditions imposed on Byrne JAG and other grant programs beginning in 2017, eight states— California, Connecticut, Massachusetts, New Jersey, New York, Rhode Island, Vermont and Washington— did not report data for 2018. Virginia was also involved in the litigation but reported on 2018 spending of funds awarded earlier.

For this reason, NCJA did not receive data on how those states invested in programs with Byrne JAG funds in 2018.

2018 Reported Investments By Purpose Area

Total Reported Investment = \$109,292,128



48%

Law Enforcement



13%

Prosecution & Courts
(incl. indigent defense)



8%

Drug Treatment & Enforcement



1.4%

Crime Victims & Witnesses



13%

Planning, Evaluation & Technology



10%

Corrections, Community Corrections & Reentry



6%

Prevention & Education



1.4%

Mental & Behavioral Health Programs

(For reference, these states accounted for 28 percent of all Byrne JAG investments reported in prior data collection conducted in 2016.)

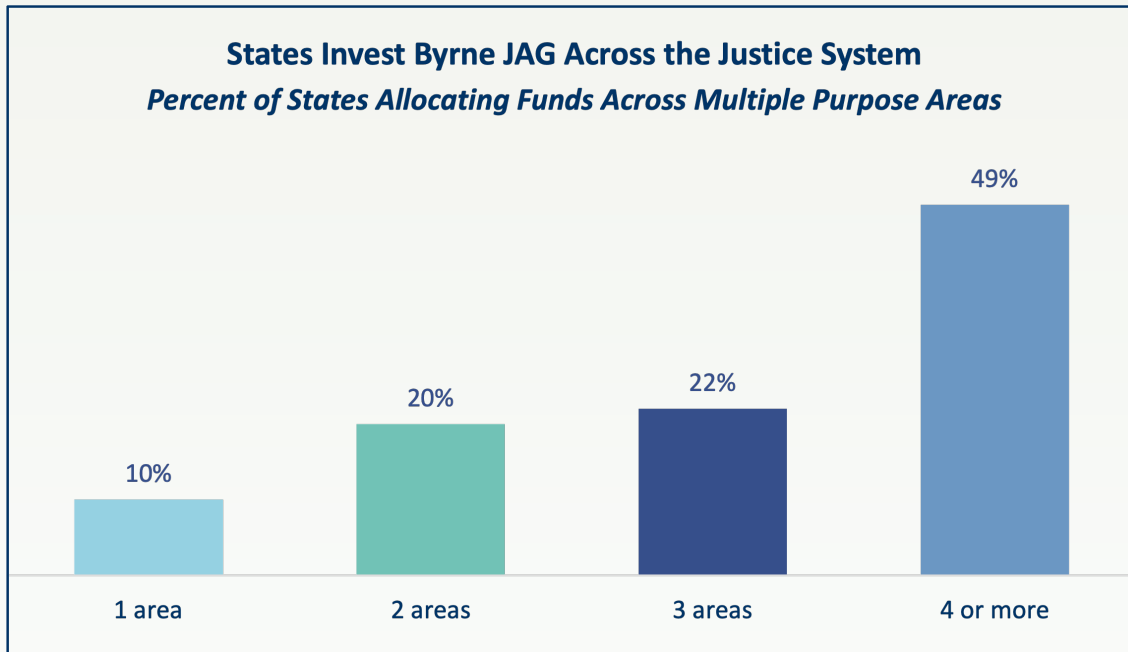
The relevant litigation was resolved in April 2021 allowing these states to access current and prior year funding. Also all future grantees will be able to apply for funds without certifying compliance with certain immigration-related conditions.

Byrne JAG Purpose Areas

The hallmark of the Byrne JAG program is its flexibility. Funds can be invested across eight Purpose Areas that span the criminal and juvenile justice systems. They include:

- 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 calendar year 2018 more than 70 percent of states invested in at least three purpose areas, and nearly half invested in four or more, extending the reach of program dollars across the justice system. (see chart below)



Spending Within Purpose Areas

It is important to note that, for reporting purposes, Byrne JAG investments are reported to a single purpose area even if the initiative or program may be better described under multiple purpose 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 purpose area, even though the purpose of the program might be better described otherwise. Programs that naturally overlap multiple areas will be noted below so readers are aware of this possibility.

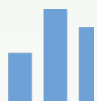


Law Enforcement Programs

- \$52,634,316 reported spent by 39 states—48% of 2018 spending
- 95% of states spent in this Purpose Area
- States spent roughly \$1.35m on average in this area

The **Law Enforcement** purpose 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 Byrne JAG spending. In 2018, 95 percent of reporting states invested in the law enforcement purpose area, accounting for 48 percent of all Byrne JAG spending.

Example: In Florida, Byrne JAG funds were used to assist state and local law enforcement agencies in recouping some of the extraordinary costs associated with large-scale response efforts following the mass shooting at Marjory Stoneman Douglas High School in Parkland.



Planning, Evaluation and Technology Improvement Programs

- \$13,899,393 reported spent by 22 states—13% of 2018 spending
- 54% of states spent in this Purpose Area
- States spent roughly \$630,000 on average in this area

In 2018, more than half of all reporting states indicated spending in the **Planning, Evaluation and Technology Improvement** purpose area, accounting for 13 percent

of all Byrne JAG spending in that year. Examples of this work include strategic planning and outcomes measurement efforts, information-sharing and crime analysis technology, and data analysis and interpretation.

Example: In Washington, D.C., Byrne JAG funds support the Justice Research and Statistics Association (JRSA) to conduct the Building Capacity for Performance Measurement and Evaluation (BCPME) project. BCPME provides process evaluation services to District of Columbia Reentry Coalition (DCRC) grantees, and is centered around a web-based, case management system (Efforts to Outcomes-ETO) for reentry grantees to be able to serve specific target populations.



Prosecution and Court Programs (including Indigent Defense)

- \$10,981,661 reported spent by 22 states—13% of 2018 spending
- 59% of states spent in this Purpose Area
- States spent roughly \$570,000 on average in this area

2.8% of Byrne JAG funds were invested in developing outcome measures and program evaluation and research in 2018; a \$2.3 million investment

The **Prosecution and Court (including Indigent Defense)** purpose area includes efforts such as public defender case management systems, 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, mental health and substance use disorders, to name a few. In 2018, 59 percent of reporting states invested Byrne JAG funds in this area, accounting for 13 percent of all spending.

Example: In Hawaii, Byrne JAG funds help support a project to improve language access in the courts through the translation of key court documents into 14 different languages. The effort also helps to screen and test translators for proficiency and provides them with practice tools for improvement.

In 2018, states invested 3.2% of Byrne JAG funds in probation and parole initiatives; more than \$2.2 million.



Corrections, Community Corrections and Reentry Programs

- \$10,981,661 reported spent by 22 states—10% of 2018 spending
- 54% of states spent in this Purpose Area
- States spent roughly \$500,000 on average in this area

The **Corrections, Community Corrections and Reentry** purpose area is broad, covering such programs and activities as diversion from jail and prison, custodial educational programming, train-

ing community corrections personnel, reentry work and treatment programs and more. Some work in this area may be coded as law enforcement if funding flows through a law enforcement agency. In 2018, more than half of reporting states invested Byrne JAG funds in these programs, accounting for 10 percent of all reported spending.

Example: In Indiana, Lawrence County uses Byrne JAG funding for reentry efforts in the form of a pre-release treatment program in conjunction with ongoing post-release treatment services. This project is a partnership between the Lawrence County Superior Court and Lawrence County Adult Probation.



Drug Treatment and Enforcement Programs

- \$8,879,017 reported spent by 15 states—8% of 2018 spending
- 37% of states spent in this Purpose Area
- States spent roughly \$600,000 on average in this area

The **Drug Treatment and Enforcement** purpose area covers 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. In 2018, 37 percent of reporting states invested Byrne JAG funds in this area, accounting for 8 percent of all reported funds spent.

Example: In Kansas, the non-profit agency, Avenue of Life, used Byrne JAG funds to provide individuals and families of current and former incarcerated offenders with preventative, educational, and drug-treatment wrap-around services to reduce recidivism rates.



Prevention and Education Programs

- \$6,139,732 reported spent by 23 states—6% of 2018 spending
- 56% of states spent in this Purpose Area
- States spent roughly \$265,000 on average in this area

The **Prevention and Education** Byrne JAG purpose area includes programs such as gang prevention, community engagement, gun violence reduction initiatives and safe streets programming. It should be noted that some programs focused on justice-involved youth are categorized in this purpose area. In 2018, 56 percent of reporting states invested Byrne JAG funds in this area, accounting for 13 percent of all spending.

Example: In Maryland, Heartly House’s Partnership for Thriving Communities & Families offers prevention and intervention services to public housing residents experiencing substance use disorders and/or domestic violence. The program uses a two-generational approach to reduce adverse childhood experiences (ACES) by providing on-site prevention education activities, crisis intervention, assessment, and fast track connection to evidenced-based and alternative treatments for the impacts of these traumas.

States invested 5%—more than \$4 million—of Byrne JAG funds in reentry initiatives in 2018.



Crime Victim and Witness Programs (other than compensation)

- \$1,566,759 reported spent by 8 states—1.4% of 2018 spending
- 20% of states spent in this Purpose Area
- States spent roughly \$200,000 on average in this area

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 2018, one in five reporting states indicated spending Byrne JAG funds in this area, accounting for 1.4 percent of all spending.

Example: In Missouri, Byrne JAG supported the Missouri Office of Prosecution Services Witness Protection Program. The program provides security to witnesses, potential witnesses and their immediate families in criminal proceedings or investigations pending against a person alleged to have violated a state law. Services may include provision of housing and for the health, safety and welfare of witnesses and their immediate families.



Mental Health, including Behavioral Health and Crisis Intervention Programs

- \$1,483,878 reported spent by 6 states—1.4% of 2018 spending
- 15% of states spent in this Purpose Area
- States spent roughly \$250,000 on average in this area

The **mental health** purpose area, which also includes **behavioral health and crisis intervention** programs, some of which may be coded under the law enforcement purpose area, accounted for 1.4 percent of Byrne JAG spending by reporting states in 2018. This purpose area was created in 2017 by Congress in response to the opioid crisis and in recognition of the importance of and volume of mental and behavioral health 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. Fifteen percent of reporting states invested funds in this area on programs such as assessment and diversion initiatives, education and prevention, and community and secure-facility based treatment.

Example: In Nebraska, Byrne JAG funds support the Sarpy County Mental Health Program which offers intensive case management to clients with mental health problems, modelled after problem-solving courts. The program attempts to help individuals improve their living skills, manage mental health needs and reduce additional contacts with the criminal justice system with the goal of reducing recidivism through intensive case management services.

Overview of 2018 Byrne JAG Investments by Purpose Area

Purpose Area	% of reported 2018 spending	Avg spent in 2018	Number of states	% of states that spent in this area
Law enforcement programs	48%	\$ 1,349,598	39	95%
Planning, evaluation, and technology improvement programs	13%	\$ 631,791	22	54%
Prosecution and court programs, including indigent defense	13%	\$ 571,140	24	59%
Corrections, community corrections and reentry programs	10%	\$ 499,166	22	54%
Drug treatment & enforcement programs	8%	\$ 591,934	15	37%
Prevention and education programs	6%	\$ 266,945	23	56%
Crime victim and witness programs	1.4%	\$ 195,845	8	20%
Mental/behavioral health & crisis intervention team programs	1.4%	\$ 247,313	6	15%

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