

Chris Asplen:

Hello. My name is Chris Asplen and I am the executive director of the National Criminal Justice Association. We here at NCJA hope that you and yours are all safe and well during the coronavirus epidemic. Today's presentation is about the Coronavirus Emergency Supplemental Funding Program. The purpose of this webinar is to walk through the new Coronavirus Emergency Supplemental Funding Program. We will explain the purpose of the new program and the process grantees will use to direct funding to needs in their communities related to the coronavirus. As a note, as we go through the webinar, you will see hyperlinks to pages that can provide more information on both the program, on NCJA, and other important areas. Those will be provided on the slides on the website for NCJA.

Chris Asplen:

On March 27th of 2020, President Trump signed the Coronavirus Aid Relief and Economic Security Act or CARES Act, a \$2 trillion COVID-19 stimulus package that is meant to stabilize the national economy, provide immediate resources to most Americans, extend unemployment insurance, provide relief for industries particularly impacted by social distancing, provide blanket support to states and local governments, and to provide additional funding for grant programs and federally funded services intended to help communities respond to the pandemic.

Chris Asplen:

The new funding is called the Coronavirus Emergency Supplemental Funding Program or the CESF. The CARES Act provides \$850 million through the Byrne Justice Assistance Grant Program formula, to prevent, prepare for and respond to coronavirus domestically or internationally. Congress chose the Byrne JAG formula as the best mechanism for getting new funding out to the states and localities as quickly as possible, and to respond to the needs from across the justice system.

Chris Asplen:

The CESF funding will flow through the Byrne JAG Assistance Grant Program. Byrne JAG is distributed by the Department of Justice, Bureau of Justice Assistance, according to a formula based on population and crime rate. Under the CARES Act, every state and locality that was eligible for FY19 Byrne JAG funding is eligible to receive an award under CESF. Once each state's award is calculated, the funding flows in two streams, 60% to the state as a formula block grant and 40% to certain localities, based again, on population and crime rate. The state's allocations can be found at the links provided on the slide as can the local awards.

Chris Asplen:

The state formula grant goes to every state, territory and the District of Columbia. That funding is administered by each state and territories state administering agency. A directory of the SASs is on the NCJA website, under the state agencies tab. Every city and county in the country is eligible for either a direct award from the DOJ, Bureau of Justice Assistance or BJA, under CESF, or a sub-grant from their SAA. Now, let me spend a little more time on this point because it can be confusing and it's important. In creating the CESF program, Congress authorized the funding to go through the Byrne JAG program based on the federal fiscal year 2019 awards. So, that means that every city or county that was eligible for a Byrne JAG allocation from BJA and FY19 is eligible to apply for and receive a CESF award under this grant.

Chris Asplen:

One important difference from the annual Byrne JAG program is that BJA is making separate awards to cities and counties under CESF. In Byrne JAG those are unified applications. Those applications are now open through the end of May. BJA will review applications on a rolling basis and have committed to making awards as soon as possible. While there are hundreds of them, those are the only CESF grants being awarded directly from the federal agency BJA to local governments. Now, to note there is no centralized national directory of these local grantees, but it is the local governmental authority, the county board, city manager or mayor's office.

Chris Asplen:

From the solicitation of the term, "Units of government," includes the town, township, village, parish, city, county, borough or other general purpose political subdivision of a state or a federally recognized Indian tribal government that performs law enforcement functions as determined by the secretary of the interior. A unit of local government also may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes. For example, in Louisiana, unit of local government means a district attorney or parish sheriff.

Chris Asplen:

Now, in addition, however, whether or not a local government is receiving a direct award, they can apply to their SAA for a grant. Each state's process will differ, and SAAs may post publicly the process that they will use to accept applications and award grants. Additional non-profit service providers, and in limited cases, for-profit companies may apply to the state or local government CESF grantee for a grant.

Chris Asplen:

Now, Congress clearly intended for these funds to be available for the broadest range of needs. The statute reads simply, "\$850 million to remain available until expended to prevent, prepare for, and respond to coronavirus domestically or internationally." And the grant application or the grant solicitation from BJA describes the permissible uses. Funds awarded under the CESF Program must be utilized to prevent, prepare for and respond to the coronavirus. Allowable projects and purchases include, but are not limited to, overtime, equipment, including law enforcement and medical personal protective equipment, hiring, supplies such as gloves, masks and sanitizer, training, travel expenses, particularly related to the distribution of resources to the most impacted areas, and addresses the medical needs of inmates in state, local and tribal prisons, jails and detention centers.

Chris Asplen:

We conclude from this that the CESF Program is bringing together the flexibility of Byrne JAG with a direct nexus to the coronavirus, and with an expansion outside the traditional boundaries of a DOJ grant to address, for instance, COVID-19 related medical testing costs for people in detention.

Chris Asplen:

As we discussed above, there are three ways to receive funding under the CESF program. First, each state administering agency will receive its award by formula no later than mid-June and in most cases considerably sooner. Second, each local agency recipient that is eligible for a direct award under BJA's formula will receive its award by formula also no later than mid-June. Third, local governments, non-profit service providers and other state agencies may apply for an award from their SAA. The timing and

the process will vary by state. Some SAAs may be able to set aside funds to reimburse for personal protective equipment and similar expenditures. Nearly all will have a competitive application process to consider needs from across the state and across the justice system. According to BJA's solicitation, funding is made available for 24 months. This will allow grantees to quickly fund immediate needs as well as to think about the longer-term implications of coronavirus on the state and local justice system.

Chris Asplen:

A primary purpose of this funding is personal protective equipment and similar needs for first responders and other justice system workers to protect themselves, and the people they serve, from getting or spreading the virus. This would be such things as gloves and masks for law enforcement officers, jail and prison personnel, prosecutors and defense attorneys. Because of the expanded uses specifically allowable in the solicitation, this could also be the immediate medical needs of people in the justice system, such as the purchase and processing of diagnostic tests for personnel and inmates, provision of medications and costs associated with social distancing in congregant living situations. Whether that is a jail or a halfway house.

Chris Asplen:

Other needs are already becoming clear. For instance, courts have a need for the technology that can allow them to carry on some operations. These CESF funds can be used to quickly purchase the equipment needed to conduct video arraignments. Also, drug and other specialty courts cannot refer to treatment that cannot operate under social distancing rules. Likewise, with arrests dropping precipitously some jurisdictions may want to test or scale up existing jail diversion and pretrial citation and release strategies.

Chris Asplen:

Many communities are making the decision to release large numbers of individuals from prison and jail to reduce the chance of contagion. This decision comes with many consequential decisions, such as how to connect them to medical care if needed, how to provide supervision during social distancing, how to continue with therapy or treatment begun during incarceration, referral to housing and family support services. All of these challenges can be funded with CESF funds, as they would be using regular annual Byrne JAG funds.

Chris Asplen:

Supervision through smartphone applications are cost effective and can be deployed quickly. Finally, some, if not most of these needs are immediate in communities in the middle of the coronavirus crisis. Some communities may not face these decisions for a few months, or if the virus reoccurs next year. Also, state and localities need to prepare for the likelihood that their budgets will be severely strained even after the virus has been contained.

Chris Asplen:

Some investments made using CESF Program funds now cannot only address the immediate needs in the justice system, but will at the same time prepare for leaner times ahead. Because the CESF Program is run through the Byrne JAG formula it might be useful to provide some context about the Byrne JAG program, its flexibility and the breadth of investments made by the SAAs. Byrne JAG is the cornerstone federal crime-fighting program because of its breadth and flexibility, allowing communities to focus on most pressing issues. SAAs are guided by the statewide strategic planning that they developed to guide

the funding. There is a focus on innovation and scaling promising practices and Byrne JAG funding is able to be used to fill gaps and leverage other resources. This slide shows the allowable purpose areas under the statute that shows that Byrne JAG funds can be invested across the entire justice system.

Chris Asplen:

This slide illustrates in its pie chart how those investments do, in fact, span the justice system. This slide shows the role of the state administering agency and links you to places on our website where we can have a great deal of information about Byrne JAG provided to you. Thank you for your time. Again, this is Chris Asplen, the executive director of the National Criminal Justice Association. We hope that you and yours are well during this coronavirus pandemic and hope that you would reach out to NCJA if there is anything that we can do to assist you. Thank you.