

DEPARTMENT OF JUSTICE

CFDA 16.710 PUBLIC SAFETY PARTNERSHIP AND COMMUNITY POLICING GRANTS

I. PROGRAM OBJECTIVES

The Community Oriented Policing Services (COPS) grant programs provide State, local, and tribal law enforcement agencies with resources to address law enforcement needs with a focus on advancing public safety through the implementation of community policing strategies. These strategies are focused on three primary elements of community policing: (1) developing community/law enforcement partnerships; (2) developing problem-solving and innovative approaches to crime issues; and (3) implementing organizational change to build and strengthen community policing infrastructure.

II. PROGRAM PROCEDURES

COPS grant programs are awarded to law enforcement agencies, large and small, across the country. The overall intent of the grant programs is to help develop an infrastructure that will advance public safety through community policing.

COPS grants provide funds for personnel, technology, equipment, training and technical assistance, and innovative community policing strategies. The two main categories of grants are Hiring and Non-Hiring.

Hiring Grants

There are four types of hiring grants actively managed within the COPS Office:

COPS Hiring Program (CHP), which provides funding directly to State, local and tribal law enforcement agencies to hire new and/or rehire full-time career law enforcement officers to increase their community policing capacity and crime prevention efforts.

COPS Hiring Recovery Program (CHRP), which provides funds to law enforcement agencies to hire new and/or rehire career law enforcement officers in an effort to create and preserve jobs, and to increase their community policing capacity and crime prevention efforts.

Tribal Resources Grant Program – Hiring (TRGP-Hiring) grants, which provide funds to tribal law enforcement agencies for the hiring/rehiring of officers to improve crime-fighting capabilities in Indian Country.

Universal Hiring Program (UHP), which provides funding directly to State, local, and tribal law enforcement agencies to hire new and/or rehire full-time career law enforcement officers to increase their community policing capacity and crime prevention efforts.

Non-Hiring Grants

There are eight types of non-hiring grants actively managed within the COPS Office:

Child Sexual Predator Program (CSPP), which provides funds to assist law enforcement agencies with the location, arrest, and prosecution of child sexual predators.

Tribal Resources Grant Program – Equipment/Training (TRGP-E/T), which provides funds to tribal law enforcement agencies for the purchase of equipment and technology to improve crime-fighting capabilities in Indian Country.

Community Policing Development (CPD), which provides funds to advance community policing and problem-oriented policing efforts through the development of products, tools, and applied research that will facilitate the adoption and implementation of training and technical assistance.

Law Enforcement Technology Grants (Tech), which provides funds for projects to develop and implement technologies that will advance community policing and help fight crime.

Methamphetamine Initiative (Meth), which provides funds to assist local law enforcement agencies and task forces with developing and implementing responses to problems of crime and disorder related to methamphetamine usage.

Safe Schools Initiative (SSI), which provides funds aimed at preventing violence in public schools, and to support the assignment of officers to work in collaboration with schools and community-based organizations to address the threat of terrorism, crime, disorder, gangs, and drug activities.

Secure Our Schools (SOS), which provides funds to law enforcement agencies to partner with schools for the purchase of violent crime prevention equipment, staff and student training, and other security improvements.

Tribal Methamphetamine Initiative (Tribal Meth), which provides funds to federally recognized tribes to help address the unique challenges of tribal jurisdictions to combat methamphetamine production, use, and trafficking.

Source of Governing Requirements

This program is authorized under the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. No. 103-322, Title I, Part Q (42 USC 3796dd–3796dd-8). Grants are authorized under section 1701 of title I of the 1968 Omnibus Crime Control and Safe Streets Act (42 USC 3796dd) for hiring and rehiring of additional career law enforcement officers under part Q of such title. **Additional funding is provided by the American Recovery and Reinvestment Act of 2009 (ARRA), Pub. L. No. 111-5, 123 Stat. 130.** The SOS program is authorized under Part AA of Omnibus Crime Control and Safe Streets Act of 1968 (42 USC 3797a et seq.).

Availability of Other Program Information

The DOJ-COPS home page (<http://www.cops.usdoj.gov/>) under the selection titled “Grants & Funding” provides information on regulations and other general information about the program.

Additional information about this program is found in the Grant Owner’s Manuals developed by the COPS Office. Grant recipients can access the Grants Owner’s Manuals and Grant Monitoring Standards for Hiring and Redeployment on the COPS home page by using the Search feature.

III. COMPLIANCE REQUIREMENTS

In developing the audit procedures to test compliance with the requirements for a Federal program, the auditor should first look to Part 2, Matrix of Compliance Requirements, to identify which of the 14 types of compliance requirements described in Part 3 are applicable and then look to Parts 3 and 4 for the details of the requirements.

A. Activities Allowed or Unallowed

1. *Hiring Grants* – Hiring grants (CHP, **CHRP**, UHP, and TRGP–Hiring) may include programs, projects, and other activities to:
 - a. Hire and train new, additional career law enforcement officers for deployment into community-oriented policing (42 USC 3796dd(b)(2));
 - b. Rehire law enforcement officers who have been laid off or who are scheduled to be laid off on a specific future date as a result of State, local and/or tribal budget reductions for financial reasons unrelated to the availability of COPS grant funds for redeployment into community-oriented policing (42 USC 3796dd(b)(1)); and
 - c. For Fiscal Year (FY) 2012 CHP awards only, all newly-hired officers must be post-September 11, 2001 military veterans (see page 12, Section 2, “Agency Eligibility Information” of the COPS FY2012 Application Guide: COPS Hiring Program, which is available at http://www.cops.usdoj.gov/pdf/2012AwardDocs/CHP/2012_CHP_Application_Guide.pdf).
2. *Non-Hiring Grants* – Non-hiring grants may include programs, projects, and other activities to obtain a wide variety of equipment, technology, support systems, civilian personnel, training, and technical assistance. These grants include programs and projects that are very specific in terms of allowable and unallowable activities. The individual grant must be evaluated to determine allowable activities, in accordance with program guidelines in the Grants Owner’s Manual (42 USC 3796dd(b) and (d)).

B. Allowable Costs/Cost Principles

Hiring Costs –

1. CHP, **CHRP**, and TRGP-Hiring grants fund the approved entry-level salaries and fringe benefits of newly hired or rehired full-time officers for 36 months of grant funding. The approved entry-level salaries and fringe benefits are based on a grantee agency's actual entry-level sworn officer salary and fringe benefit costs and are identified on the Final Financial Clearance Memorandum that is provided to the grantee agency. Any additional costs for higher than entry-level salaries and fringe benefits will be the responsibility of the grantee agency (42 USC 3796dd(b); **page 5, Program Specific Information of the COPS FY 2009 Application Guide (CHRP)** (<http://www.cops.usdoj.gov/pdf/e03094188-CHRP-v-2.pdf>); page 14, section 5, "COPS Officer Request," of the COPS FY2010 Application Guide (CHP) (<http://www.cops.usdoj.gov/pdf/CHP/e05105273-CHP.pdf>); page 22, section 5A, "COPS Officer Request," of the COPS FY2010 Application Guide (CHP) (<http://www.cops.usdoj.gov/pdf/cap/cap-appguide-chp.pdf>); page 3, "Program Specific Information," of the COPS FY2009 Application Guide (TRGP) (http://www.cops.usdoj.gov/files/RIC/Publications/e0209183_TRGP-AppGuide.pdf); page 3, "Program Specific Information," of the COPS FY2008 Application Guide (TRGP) (http://www.cops.usdoj.gov/html/funding/applying/TRGPGuide_e030821127.pdf)).
2. For FY 2012 and FY 2013 CHP grantees, costs are limited to the approved entry-level salaries and fringe benefits of each newly hired and/or rehired full-time officer, with a maximum Federal share of \$125,000 per officer position (unless a local match waiver is approved by the COPS Office), over the 3-year (36 month) grant period (see page 14, section 5A, "COPS Hiring Officer Program Request" of the COPS FY2012 Application Guide: COPS Hiring Program).
3. UHP costs are limited to an amount no higher than entry-level officer salary and fringe benefits (see Section I.2, "Allowable Costs," of the UHP Grant Owner's Manual).

G. Matching, Level of Effort, Earmarking

1. Matching

- a. There is no match requirement for CHP (FY 2010 and FY 2011 only), **CHRP**, CSPP, Tech, Meth, SSI, CPD, TRGP-Hiring, TRGP-E/T, and Tribal Meth.
- b. UHP and Tech grantees (FY 2007 Tech grantees only) must contribute at least 25 percent of allowable project costs, unless a local match waiver is approved by the COPS Office (42 USC 3796dd(g)).

- c. SOS grantees must contribute at least 50 percent of allowable project costs (42 USC 3797a(d)).
- d. FY 2012 and FY 2013, CHP grantees must contribute a minimum of 25 percent of the allowable project costs (page 14, section 5A, “COPS Hiring Officer Program Request,” and page 27, “Waiver of Local Match,” of the COPS FY2012 Application Guide: COPS Hiring Program), unless a local match waiver is approved by the COPS Office.

2 Level of Effort – Not Applicable

3. Earmarking – Not Applicable

L. Reporting

1. Financial Reporting

- a. SF-270, *Request for Advance or Reimbursement* – Not Applicable
- b. SF-271, *Outlay Report and Request for Reimbursement for Construction Programs* – Not Applicable
- c. SF-425, *Federal Financial Report* – Applicable

2. Performance Reporting

Department Quarterly Progress Report (OMB No. 1103-0102) – This report is required quarterly during the life of the grant for all COPS grants.

Key Line Items – The following questions contain critical information:

- a. Question 1 – *How many active COPS grant position(s) were filled/hired? Full-Time and Part-Time.*
- b. Question 2 – *How many of the unfilled COPS grant position(s) do you intend to fill? Full-Time and Part-Time.*
- c. Question 3 – *How many of the unfilled grant position(s) are NOT going to be filled/hired? Full-Time and Part-Time*

3. Special Reporting – Not Applicable

4. Subaward Reporting under the Transparency Act – Not Applicable

IV. OTHER INFORMATION

A limited number of recipients of FY 2011 through FY 2013 funds were selected to address particular Department of Justice priority crime problems, based specifically on information in their CHP grant application's community policing plan. Those recipients will have additional special condition(s) in their grant agreement that the auditor will need to cover during the audit.

DEPARTMENT OF JUSTICE

- CFDA 16.738** **EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM**
- CFDA 16.803** **RECOVERY ACT – EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM / GRANTS TO STATES AND TERRITORIES**
- CFDA 16.804** **RECOVERY ACT – EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM / GRANTS TO UNITS OF LOCAL GOVERNMENT**

I. PROGRAM OBJECTIVES

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 USC 3750) is the primary provider of Federal criminal justice funding to State and local jurisdictions. JAG funds support all components of the criminal justice system, from multi-jurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information-sharing initiatives.

II. PROGRAM PROCEDURES

JAG grants are awarded to States, including the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, Guam, and American Samoa, as well as eligible local jurisdictions.

The JAG funding formula includes a State allocation consisting of a minimum base allocation with the remaining amount determined on population and violent crime statistics. States also have a variable percentage of the allocation that is required to be “passed-through” to units of local government. This amount, also calculated by the Bureau of Justice Assistance (BJA), Department of Justice (DOJ), is based on each State’s crime expenditures. In addition, the formula calculates direct allocations for local governments within each State, based on their share of the total violent crime reported within the State. Local governments that are entitled to an award of at least \$10,000 may apply directly to BJA for local JAG funds. The Bureau of Justice Statistics (BJS) Technical Report, which contains more information on the award calculation process, is available on the JAG web site at <https://www.bja.gov/Publications/JAGTechRpt.pdf>.

The State Administering Agency (SAA) and local jurisdictions must make the grant application available for review to the governing body of the State, or to an organization designated by that governing body, at least 30 days before the application is submitted to BJA. Also, an SAA or local jurisdiction must provide an assurance that the application or any future amendment was made public and an opportunity to comment was provided to citizens and to neighborhood or community organizations to the extent applicable law or established procedure makes such an opportunity available.

The SAA must establish a trust fund in which to deposit JAG funds. The trust fund is not required to be an interest-bearing account. The Office of Justice Programs (OJP) Financial Guide, which contains information on allowable costs, methods of payment, audit requirements,

accounting systems, and financial records, is available on the OJP web site at <http://www.ojp.usdoj.gov/financialguide/>.

Source of Governing Requirements

Subpart 1, of Part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 USC 3750 through 3758) and **Title II of the American Recovery and Reinvestment Act of 2009 (ARRA), Pub. L. No. 111-5, 123 Stat. 130.**

Availability of Other Program Information

The BJA home page at https://www.bja.gov/ProgramDetails.aspx?Program_ID=59 provides information on program statutes and other general information about the program.

III. COMPLIANCE REQUIREMENTS

In developing the audit procedures to test compliance with the requirements for a Federal program, the auditor should first look to Part 2, Matrix of Compliance Requirements, to identify which of the 14 types of compliance requirements described in Part 3 are applicable and then look to Parts 3 and 4 for the details of the requirements.

A. Activities Allowed or Unallowed

1. Use of funds is restricted to the following broad program areas: (a) law enforcement; (b) prosecution and court programs; (c) prevention and education; (d) corrections and community corrections; (e) drug treatment; (f) planning, evaluation, and technology improvement; and (f) crime victim and witness programs (other than compensation).
2. JAG funds cannot be used directly or indirectly for security enhancements or equipment used by non-governmental entities not engaged in criminal justice or public safety.
3. Based on extraordinary and exigent circumstances making the use of funds essential, BJA may certify a State's request to use funds for (a) vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters); (b) luxury items; (c) real estate; or (d) construction projects (other than penal or correctional institutions) (42 USC 3750 through 3759).

D. Davis-Bacon Act

All construction modernization, renovation, and repair activities funded with ARRA funds are subject to the Davis-Bacon Act requirements (Section 1606 of ARRA).

G. Matching, Level of Effort, Earmarking**1. Matching**

There is no matching requirement at the Federal level although States and units of local government may require matching from subgrantees.

2.1 Level of Effort – *Maintenance of Effort* – Not Applicable**2.2 Level of Effort – *Supplement not Supplant* – Not Applicable****3. Earmarking – A JAG grantee may use no more than 10 percent of the award, including interest, for costs associated with administering JAG funds (42 USC 3751(e)).****L. Reporting****1. Financial Reporting**

a. SF-270, *Request for Advance or Reimbursement* – Not Applicable

b. SF-271, *Outlay Report and Request for Reimbursement for Construction Programs* – Not Applicable

c. SF-425, *Federal Financial Report* – Applicable

2. Performance Reporting – Not Applicable**3. Special Reporting – Not Applicable****4. Subaward Reporting under the Transparency Act – Applicable**