

MEETING DATE: November 8, 2018

AGENDA ITEM: B

TO: BSCC Chair and Members

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SUBJECT: Edward Byrne Memorial Justice Assistance Grant (JAG) State Strategy, Request for Proposals (RFP) and Request for Applications (RFA) **Requesting Approval.**

Summary

This agenda item requests approval to continue the current JAG State Strategy (Attachment B-1), the JAG Request for Proposals (RFP) (Attachment B-2) and the JAG Request for Application (RFA) for the California Department of Justice (DOJ) (Attachment B-3). This agenda item further requests that staff be delegated to pass through the DOJ funds upon award should DOJ successfully complete its application.

The RFP and RFA would establish three-year grant cycles that are contingent upon receipt of California's Bureau of Justice Assistance (BJA) 2017, 2018 and 2019 awards. BSCC has submitted applications to BJA in response to its 2017 and 2018 solicitations (Attachment B-4 and B-5 respectively) but has not yet received the awards.

Background

On March 1, 2015, BSCC established a three-year grant cycle for 32 local JAG projects across the state. These competitively awarded projects reflected the approved state strategy and the program purpose areas of Law Enforcement; Prevention and Education; and Prosecution, Defense and Indigent Defense. On December 31, 2017, 13 local JAG projects concluded after exhausting available funding. The remaining 19 projects received a one-year no cost extension offered following both BJA and BSCC Board approval. Thirteen of these projects continue to operate and are permitted to do so until all funds are exhausted or until December 31, 2018. It is anticipated each local project will exhaust all funding prior to the end of the one-year extension.

On September 22, 2017 the Board authorized the formation of a JAG Executive Steering Committee (ESC) (Attachment B-6) to be led by Board Chair Linda Penner to establish the next JAG grant cycle. This ESC was charged with: 1) developing the state strategy, 2) developing the RFP, and 3) rating proposals and making award recommendations to the Board.

On January 26, 2018 the JAG ESC met to develop the state strategy and RFP. During the meeting the ESC heard presentations from current JAG grantees and reviewed the JAG 2013 Stakeholder Survey Executive Summary (Attachment B-7) and other background materials. However, final approval of the JAG RFP was postponed because California had not received its 2017 JAG award, which was delayed pending the resolution of the litigation in *California*

v. Sessions. Since the federal district court has issued its final order directing BJA to release the 2017 funds to the Board, the RFP may now be released to the field. It is expected that the U.S. Department of Justice will appeal the decision in *California v. Sessions*. Prospective grantees will be notified that the grant funds are subject to ongoing litigation.

1) State Strategy

BJA is the federal administering agency for the JAG Program. BJA requires that states develop a state strategy and use stakeholders to determine the focus of the JAG Program. The BSCC completed this effort in 2015, and this ESC determined that not enough time had passed to warrant a new assessment and that the Strategy is still responsive.

2) JAG RFP

The JAG ESC largely recommends maintaining the current program purpose areas and Request for Proposal policies that were used in last grant cycle, including the California Department of Justice award. Specifically, the ESC recommended maintaining for another three years the priorities of:

1. Education and Prevention;
2. Law Enforcement; and
3. Prosecution, Courts, and Indigent Defense.

The ESC further recommended using the same competitive funding formulas for small, medium and large counties, with \$2,000,000 set aside for Los Angeles county. Applicants must be counties, which are required to apply for equal amounts in each of the three years up to the cap, with a caveat that awards are subject to appropriations in FFYs 17, 18 and 19.

Subject to California's acceptance of the 2017 and future awards, the new grants will be funded for a three-year cycle that begins August 1, 2019 and ends December 31, 2022. Second- and third-year funding will be dependent upon grant performance and the availability of federal grant funds.

Counties must use the community engagement model to establish a JAG Steering Committee with a balance of stakeholders that will:

- Guide the implementation and monitoring of the JAG program within its jurisdiction.
- Work together to collectively identify the community's needs, develop a strategy, prioritize funding and identify measurable outcomes.

Applicants must set aside grant funds for data collection and evaluation efforts.

3) JAG RFA

BJA determines each state's JAG allocation based on a formula of the state's share of the country's violent crime and population, weighted equally. BJA then divides each state's portion, with 60 percent going to the State Administering Agency (BSCC) and 40 percent to local units of government. The qualifying local units of government receive an annual amount

based on their proportion of the state's three-year violent crime average. Jurisdictions whose award is \$10,000 or more apply for those funds directly from BJA. If a jurisdiction's award would amount to less than \$10,000, the funds instead are added to the state's 60 percent portion. Since 2012, the BSCC has distributed these funds to the Cal-DOJ for statewide drug and crime enforcement, using the Request for Application process. The JAG RFA is developed by BSCC staff in accordance with BJA requirements.

Distribution of California's 2017 JAG Allocation

\$17,711,636 – Initial 60 percent State Allocation
 \$ 1,194,761 - Less Than \$10,000 (pass through to DOJ)
 \$17,701,281 – Final Allocation
 \$1,416,102 – 8 percent Set Aside for BSCC Administrative costs
\$16,285,179 – 92 percent Pass-Through (Local Assistance)

Distribution of California's 2018 JAG Allocation

To Be Announced – Initial 60 percent State Allocation
 To Be Announced -- Less Than \$10,000 (pass through to DOJ)

\$15,781,102 – 87.4 percent Pass-Through (Local Assistance)
 \$18,056,180 – Final Allocation
 \$1,444,494 – 8 percent Set Aside for BSCC Administrative costs
 \$830,584 -- 5 percent NIBRS

Distribution of California's 2019 JAG Allocation

To Be Announced

RFP Activities and Timeline

ACTIVITY	TIMELINE
Release of the Request for Proposals to the Field	November 8, 2018
Notice of Intent to apply to BSCC	January 14, 2019
Bidder's Conference	Last week in January of 2019
Proposals due back to BSCC	March 28, 2019
Technical Review	March 29, 2019 thru April 8, 2019
ESC Rater Training	April 15, 2019
BSCC Board Considers Funding Recommendations	July 11, 2019
New JAG Cycle to Start	August 1, 2019

Recommendation/Action Needed

Approval of the JAG State Strategy, RFP, DOJ RFA and DOJ funding.

Attachments

B-1 – JAG State Strategy

B-2 - JAG RFP

B-3 - JAG RFA

B-4 – 2017 BJA solicitation

B-5 – 2018 BJA solicitation

B-6 –JAG ESC Roster

B-7 - JAG 2013 Stakeholder Survey Executive Summary

B-8 - Task Forces Supervised by Cal-DOJ

B-9 – 2018 JAG Application