

**Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Office of Grants and Research**



**Edward J. Byrne Memorial
Justice Assistance Grant Program**

*Safer Communities Initiative
Availability of Grant Funds*

**Maura T. Healey
Governor**

**Terrence M. Reidy
Secretary**

**Kimberley Driscoll
Lieutenant Governor**

**Kevin Stanton
Executive Director**

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Introduction

The Executive Office of Public Safety and Security’s (EOPSS) Office of Grants and Research (OGR) will make available approximately **\$1,400,000** in federal funding from the Edward J. Byrne Memorial Justice Assistance Grant (JAG) Program for **District Attorney’s Offices** and the **Massachusetts State Police** to address community-based criminal activity related to gang violence, illegal firearms and narcotics use and distribution during the summer and fall months when activity is at its peak.

Federal Award Background

The Edward J. Byrne Memorial JAG Program, administered by the U.S. Department of Justice, BJA, Office of Justice Programs (OJP) and authorized by Title I of Pub. Law No. 90-351, is the leading source of federal justice funding to state and local jurisdictions. The JAG Program provides Massachusetts and other states, tribes, and local governments with critical funding to support a range of program areas including law enforcement, prosecution and court, prevention and education, corrections and community corrections, drug treatment and enforcement, planning, evaluation, technology improvement, and crime victim and witness initiatives. OGR is the State Administering Agency (SAA) for JAG funds awarded to the Commonwealth of Massachusetts.

Applicant Eligibility:

Only a **Massachusetts District Attorney’s Office** and the **Massachusetts State Police** are eligible to apply.

Maximum Award Amount and Grant Award Period

- A District Attorney’s Office may solicit up to **\$100,000** in funding for this initiative.
- The MSP may submit up to 4 separate proposals covering different areas of the Commonwealth that they determine to have greatest need.

These funds must be prioritized to address the uptick in community violence and drug activity often associated with the warmer weather. Applicants may choose to utilize all funding within the summer months (July-September) or extend their efforts up to December 31, 2023.

Key Dates

Solicitation Posted:	Friday, April 28, 2023
Applications Due:	Friday, May 19, 2023 by 4:00 pm.
Anticipated Award Announcements:	Tentative-June 2023
Grant Award Period:	July 2023 -December 31, 2023

I. Important Highlights

Purpose

This grant opportunity is a competitive solicitation for District Attorney's Offices and the MSP to obtain funding to address gang violence, illegal firearms and narcotic distribution impacting the quality of life within the Commonwealth's cities and towns. *These funds must be prioritized for use beginning July 1, 2023 when communities often see an uptick in violence.*

Funding Criteria for District Attorney's Offices:

Approximately 50% of funds being requested must be used for enforcement and suppression and the remaining 50% of funds being requested must be utilized for prevention, intervention and/or diversion type programming.

A District Attorney may sub-award funds to outside entities to assist with the enforcement and suppression efforts such as a local police department or choose to utilize some or all of the enforcement funds set aside (not more than 50% of the total award amount being requested) for their own needs (prosecutors, etc.).

Funding Criteria for the MSP:

MSP may submit up to **four separate applications** to address enforcement and suppression needs but at least one application must include a youth-based prevention component.

The MSP and District Attorneys may also sub-award funds to outside entities to assist with prevention, intervention and/or juvenile diversion efforts such as partnering with a nonprofit to provide an anti-drug or violence prevention (summer) youth program within the area being served. Any youth programming must have an anti-violence and/or anti-drug nexus to address the intent of these funds.

Evidence-Based/Promising Programs

OJP and OGR strongly emphasize the use of data and evidence in policy-making and program development in criminal justice. OJP and OGR are committed to:

- improving the quantity and quality of programs and strategies that are evidence-based;
- integrating evidence into program, practice, and policy decisions; and
- improving the translation of evidence into practice.

Allowable Costs

All applicants and their selected partners must be able to implement their program immediately upon execution of this award which is anticipated to be July 1, 2023.

The following are *examples* of the types of allowable uses of funds under this application process:

- Personnel, fringe and indirect costs;
- Overtime for suppression/investigation/enforcement efforts;
- Subawards to local police departments and nonprofits;
- Consultants to provide services or training to address key priority areas;
- Small equipment items like protective gear for officers in the field, surveillance cameras,

- etc.; and
- Materials needed for evidence-based youth prevention or diversion programming.

Unallowable Costs

For this AGF, funds may **NOT** be used for any of the following:

- Standard firearms or ammunition;
- Construction, office furniture, or other like purchases;
- Vehicles, vessels or aircraft including unmanned aerial vehicle/unmanned aircraft, aircraft system, or aerial vehicles (UA/UAS/UAV);
- Gift cards, tee-shirts and trinkets;
- Food and beverages; and
- Extended warranty above and beyond the cost of the item (after the contract end date).

Federal funds must be used to supplement and not supplant any existing funds that applicants or their partners may already have to provide the services being proposed. For example, it is permissible for OGR to provide federal funds to expand an existing program that otherwise wouldn't be able to have additional youth participate without the addition of federal funds. That is an acceptable use of JAG funds.

II. Grant Compliance Details

Fund Disbursement

Funding will be disbursed via an Interdepartmental Service Agreement. Details about financial reporting requirements will be provided at the time awards are made.

Subrecipient Requirements

Subrecipients must abide by the grant requirements below as well as all OGR Subrecipient Grant Conditions to be provided at the time of contracting.

1. Grants Management

- Federal grant applicants who are registered with the System for Award Management (SAM) are assigned a Unique Entity Identifier (UEI) that must be included with application.
- Submission of satisfactory and timely quarterly progress reports and quarterly financial reports, with all required back-up documentation, will be required of subrecipients.
- Timely submission of performance measures via the Performance Measurement Tool (PMT) online platform through the U.S. Department of Justice is required of subrecipients. Numerical data are reported quarterly and narrative reported annually.
- Subrecipients are expected to cooperate during OGR monitoring endeavors, including site visits and desk reviews.
- Grant funds are subject to federal accounting and audit requirements including the prohibitions on co-mingling funds. Organizations that receive JAG funding along with other federal funds must treat the funds independently with separate cost and reporting centers. An audit trail is required for the federal and matching portions of the program each year and is expected to be accessible upon the request of OGR. The sources of receipts, expenditures, and disbursements for each portion of funding

- are to be accounted for separately.
- Supplanting of funds is strictly prohibited. Funds for programs and services provided through this grant are intended to supplement, not supplant, other state or local funding sources.
 - Costs paid with grant funds must be direct and specific to the implementation of the JAG funded program.
 - No consultant or trainer may be paid more than \$650 for an eight-hour work day or \$81.25/hour without the prior written approval from OGR. Requests for a waiver of this requirement with documented justification must be made in writing at the time of application.

2. *Procurement*

- Subrecipients choosing to further subgrant to an implementing agency or an independent contractor, all or any part of the amount of the JAG award, shall include the provisions of the OGR standard subgrant conditions and enter into a written contract or memorandum of understanding (MOU) with the implementing agency or independent contractor. At a minimum, the contract or MOU must explicitly outline the expected deliverables, timeframes/hours, and rates. A copy of the contract or MOU must be submitted to OGR for the subrecipient grant folder once a subaward is made.
- Procurement of services, equipment, and supplies must follow M.G.L. Ch. 30B for local units of government and non-profit entities and Operational Services Division (OSD) Purchasing Guide for state agencies. Local units of government must ensure that subcontracts with private organizations have provisions ensuring any goods and services provided by the subcontractor are consistent with M.G.L. Ch. 30B procedures.

3. *Other Requirements*

- Subrecipients must comply with the Federal Funding Accountability and Transparency Act as will be further instructed by OGR prior to contracting.
- Units of local government and non-profit subrecipients that expend \$750,000 or more in federal awards from all sources within 12 months must have a single or program-specific audit conducted for that year in accordance with the provisions of [2 CFR 200 Subpart F Audit Requirements](#). OGR's local government and non-profit subrecipients will be required to submit an audit summary to OGR annually, upon request.
- In accordance with civil rights laws and regulations, subrecipients of federal funds, regardless of the type of entity or the amount of money awarded, must certify that they will not discriminate against any person on the grounds of race, color, religion, sex, national origin, age or disability, in any program or activity funded in whole or in part by federal financial assistance. In addition, subrecipients meeting certain funding and agency-specific criteria are required to develop and file an Equal Employment Opportunity Plan (EEOP). Additional civil rights compliance and reporting requirements will be addressed with subrecipients upon award of the grant.
- Subrecipients will be required to complete a Certification of Compliance with Regulations form, responding to either Section A- Declaration Claiming Complete Exemption from the EEOP Requirement, Section B- Declaration Claiming Exemption from the EEOP Submission Requirement and certifying that an EEOP is on File for

Review or Section C-Declaration Claiming EEOP Submission Requirement. Some subrecipients may be required to submit their EEOP or EEOP Short Form to the U.S. Department of Justice, Office for Civil Rights (OCR). Each subrecipient's Certification, EEOP, or EEOP Short Form will be submitted to OCR in accordance with 28 CFR 42.301-308. Details will be provided prior to contracting.

- The Anti-Lobbying Act of 18 U.S. Code § 1913 prohibits the use of federal funds for "grassroots" campaigns that encourage third parties, members of special interest groups or the general public to contact members of Congress or of a State or local legislature or an official of any government in support of or in opposition to a legislative, policy or appropriations matter. It applies to activities both before and after the introduction of legislation.
- **Reporting of a firearm, rifle or shotgun, large capacity weapon, machine gun or assault weapon used to carry out a criminal act.** Law enforcement must comply with M.G.L. chapter 140 Section 131Q and ensure a firearm, rifle or shotgun, large capacity weapon, machine gun or assault weapon used to carry out a criminal act is traced by the licensing authority for the city or town in which the crime took place. The licensing authority then must report readily available statistical data to the commonwealth fusion center. The data shall include, but not be limited to: (i) the make, model, serial number and caliber of the weapon used; (ii) the type of crime committed; (iii) whether an arrest or conviction was made; (iv) whether fingerprint evidence was found on the firearm; (v) whether ballistic evidence was retrieved from the crime scene; (vi) whether the criminal use of the firearm was related to known gang activity; (vii) whether the weapon was obtained illegally; (viii) whether the weapon was lost or stolen; and (ix) whether the person using the weapon was otherwise a prohibited person.
- In addition to the requirements set forth above, subrecipients will be required to agree to and abide by all state and federal rules, regulations, and conditions pertaining to the receipt, administration, and management of federal funding.
- OGR subgrant conditions must be signed and dated at the time an award is made.

4. *Equipment and Technology*

- Equipment acquired with Federal funds shall be used and managed to ensure that the equipment is used for criminal justice purposes.
- The Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42USC Bill# 789, et seq., Section 808, requires that the title to all equipment and supplies purchased with funds made available under the Crime Control Act shall vest in the criminal justice agency or non-profit organization that purchased the property, if it provides written certification to the State office that it will use the property for criminal justice purposes. If such written certification is not made, title to the property shall vest in the State office, which shall seek to have the equipment and supplies used for criminal justice purposes elsewhere in the State prior to using it or disposing of it in any other manner.
- A subrecipient shall use and manage equipment in accordance with their own procedures as long as the equipment is used for criminal justice purposes.
- When equipment is no longer needed for criminal justice purposes, a State shall dispose of equipment (for both the State and subrecipients), in accordance with State procedures, with no further obligation to the awarding agency.
- Subrecipients are responsible for replacing or repairing the property which is willfully or negligently lost, stolen, damaged, or destroyed. Any loss, damage, or theft of the

property must be investigated and fully documented and made part of the official project records. A copy of the report must be forwarded to the EOPSS.

5. *Reporting Alleged Waste, Fraud and Abuse*

- It is the responsibility of the subrecipient to report alleged Fraud, Waste, or Abuse including any alleged violations, serious irregularities, sensitive issues or overt or covert acts involving the use of public funds in a manner not consistent with federal statutes, related laws and regulations, appropriate guidelines or purposes of the grant. Reports may be made to the Inspector General for the U.S. Department of Justice and/or to the Offices of the Massachusetts Inspector General or State Auditor.

U.S. Department of Justice
Office of the Inspector General Field Office
Bldg. 1 Battery Park Plaza, 29th Floor
New York, NY 10004
212-824-3650
<http://www.usdoj.gov/oig/>

Office of the Inspector General
John W. McCormack State Office
One Ashburton Pl, Room 1311
Boston, MA 02108
800-322-1323
MA_OIG@maoig.net

Office of the State Auditor
Massachusetts State House,
Room 230 Boston, MA 02133
617-727-2075
Auditor@SAO.state.ma.us

III. Application Template Instructions

To provide OGR the best opportunity to fairly evaluate all requests for funding, applicants are encouraged to be clear and concise in their proposals.

*The Application Template must be completed as outlined in this section. Applications submitted without a signature from the **District Attorney or MSP Colonel/Superintendent** will be considered invalid and may not be reviewed for funding.*

Section I. Applicant Template Information

Contact and Fiscal Information

- Indicate Agency name, address, authorized signatory, grant point of contact, finance officer contact information, UEI number and SAM registration confirmation.
- Also, indicate the exact amount of federal funds being requested.

Program Summary

- Provide brief summary of the proposal submitted to be funded through this application (250 characters).

Non-Supplant

- Attest to non-supplanting of federal dollars for the stated project.

Agency Authorized Signatory

- Submitted application must be signed by the District Attorney or MSP Colonel/Superintendent for the Agency identified on the application.

Section II. Narrative Template

The application narrative template is comprised of four sections: Needs Assessment, Project Description, Implementation Plan/Timeline and Budget Narrative.

Needs Assessment (2-page limit)

At a minimum, the needs assessment should address the following:

- Provide a description of the District and communities to benefit from this award.
- Describe in detail the current unmet criminal justice or public safety needs. **Include relevant statistical and/or anecdotal evidence whenever possible as it relates to community-based criminal activity related to gang violence, illegal firearms and narcotics during the summer and fall months when activity is at its peak.**
- The sources or methods used for assessing the problem should also be described.
- Further explain why such criminal justice needs stated have not been previously met to justify federal grant funds are needed.
- Address community-based criminal activity related to gang violence, illegal firearms and narcotics during the summer and fall months when activity is at its peak.
- Describe any negative effect, potential consequences or impact against the department and/or community as a result of not having the items being requested.

Project Description (3-page limit)

This section should clearly identify the problem and support the stated issues with relevant data to justify the request for the programs, services or activities being proposed.

- Discuss how the proposed programming directly correlates to the needs assessment provided, specifically how will it address community-based criminal activity related to gang violence, illegal firearms and/or narcotics during the summer and fall months when activity is at its peak.
- For prior Safer Communities grant recipients, discuss previous successes with these funds; such as the number of gang arrests, drugs or weapons confiscated, and/or the number of children that received prevention services, etc.
- Describe any risk factors to be addressed and protective factors.
- Describe the link between research (evidence-based) and the proposed program and if possible, any previous evaluation results of the model program or strategy to be replicated or expanded. In a difficult budget climate, it is critical that grant dollars are spent on programs and activities proven to have a strong likelihood of success. Do not assume that the reviewer is familiar with the program, concepts or services being proposed. Reviewers can only review the information provided and a lack of detail could result in an unfavorable rating.
- Please include the names of any collaborating agencies and/or partners such as community and business groups, government officials, and non-profits. Include a detailed description of the partner's participation in addressing the problem as outlined in the application.

- If you are proposing to sub-contract funds to one or more collaborative partners (outside organizations) to implement all or some of the proposed activities, a Memorandum of Agreement should be included as an attachment and contain the following information:
 - Summary of each agency's role and responsibilities specific to the proposed project;
 - Clear outline of deliverables, timeframes, hours and rates of compensation; and
 - Signed by an official of the third party organization(s).

Implementation Plan, Timeline and Person Responsible (1-page limit)

Please discuss your management and implementation plan for this award. This should include how you will ensure the effective implementation and oversight of the project, methods of procurement (if not previously mentioned), a timeline with key activities and milestones, and identification of key partnerships or stakeholders who will play a role in the implementation of this award.

Complete the template grid provided by identifying the necessary steps to be implemented during the project period, *with the start date being no later than July 2023*. Please Include the following:

- List of major tasks/activities to be conducted including a bidding process for contracts and/or equipment purchases;
- Anticipated beginning/end date for major activities;
- Anticipated outcome of each major activity; and
- Person/Individual responsible for conducting/overseeing the stated task/activity.

Section III. Budget Narrative Summary and Budget Excel Worksheet

The **Budget Narrative Summary** (template) should outline the budget requested and itemize the expenses and purchases as described in this application. Applicants may submit a 3-month or a 6-month **budget** that covers expenses up to September 30, 2023 or December 31, 2023, depending on the length of the proposed programs.

Applicants must also complete a **Budget Excel Worksheet** (refer to **Attachment B**). Please be sure to complete both (Excel tabs) the Summary tab and Details tab and submit with your application response.

Allowable Budget Cost Categories

Allowable Budget Cost Categories	Definitions and Documentation Requirements
Personnel	Costs associated with agency personnel. List position, percentage of time charged to grant, and annual salary. Include a brief description of the duties/activities to be completed supported by grant funding.
Overtime	Overtime is limited to sworn law enforcement personnel only. Indicate overtime rate for each officer charged to the grant and the number of overtime hours. Refer to OGR Overtime Policy below.
Fringe Benefits	<p>Eligible costs include the employer share of the following:</p> <ul style="list-style-type: none"> • Life insurance • Health insurance • Social security costs • Pension costs • Unemployment insurance costs • Workers compensation insurance <p>Direct fringe benefits can be either actual costs or rate per employee calculated by the fiscal or human resource unit in your organization. Actual known costs must be itemized by type and include rate computation. Include a copy of approved rate agreement in the application response.</p>
Indirect	<p>Federally negotiated and approved rate for costs that are not readily assignable to a particular project, but are necessary to the operation, maintenance of the organization and performance of the project. Include copy of federally approved rate with the proposal. Applicants must include copy of a federally approved rate with the proposal.</p>
Contracts and Subawards and Consultants	<p>Contracts and Subawards: Provide a description of the product/services to be procured by contract and an estimate of the cost. Applicants must follow their organization's own procurement policy.</p> <p>Consultants: The maximum rate for consultants is \$650 for an eight-hour day or \$81.25 per hour. Any request for compensation over \$650 per day requires prior written approval by OGR. This rate is the exception not the rule.</p>
Travel	Travel directly related to the purpose of the grant. In-state travel costs associated with the grant shall include mileage rates not to exceed \$.62 per mile, as well as the actual costs of tolls and parking. Note that no grant funds may be spent for out-of-state conference fees, out-of-state travel or out-of-state lodging.
Equipment/Technology	Tangible non-expendable personal property having a useful life of more than one year; cost based on classification of equipment.
Supplies	Supplies directly correlated to the program.
Other	List items that aren't relevant to the above cost categories and the basis of the computation.

OGR Overtime Policy

State and local first responders eligible through their department for overtime (and preapproved by OGR) may be reimbursed for overtime costs related to grant-funded activities ONLY.

Overtime hours charged against a federal grant award provided by OGR may be reimbursed for actual hours worked only, regardless of union contract rules. For example, an officer working two hours of overtime on a federally funded project awarded by OGR is prohibited from charging the grant award for four hours of overtime due to a union contract agreement for a four-hour minimum. In this example, the department must cover the remaining 2 hours of overtime from their own state or local budget. Departments found violating this policy will be subject to immediate termination of a grant award and must return all misspent funds to OGR.

Overtime Related Definitions

For this policy, definitions for the key terms referenced within are listed below:

- *Overtime*-Expenses limited to the additional costs that result from state and local first responders such as sworn law enforcement personnel working over and above their weekly full-time/part-time schedule as a direct result of their performance of approved activities related to the project receiving federal funding.
- *Subrecipient*-An entity receiving a grant award from OGR.
- *Sworn Uniform Personnel*-State or local (uniform) law enforcement and firefighter personnel.

If awarded to utilize grant funding for overtime costs, OGR will provide additional criteria and reporting forms needed at the time an award is made to justify and support such reimbursement costs being charged against the grant.

Section IV. Application Submission and Award Process

Submission Process and Deadline

**This AGF and all other required documents can also be found on our website:*

<https://www.mass.gov/info-details/safer-communities-initiative>

Electronic (e-mail) Submission

Applicants must submit electronically:

- Attachment A: Completed Application Template (as a PDF; not a scan)
- Attachment B: Budget Excel Worksheet Form (Summary and Details sheets)
- Attachment C: Interoperable Communications Investment Proposal (if applicable)

Any page requiring a signature (e.g., Attachment A signature page, Budget Worksheet Summary page, etc.) must be **scanned** and submitted separately from the above documents, so that the authorized signature is evident.

Acceptable forms of electronic signature: Electronic signature that is either:

- a. Hand drawn using a mouse or finger if working from a touch screen device; or
- b. An uploaded picture of the signatory's hand drawn signature; or
- c. Electronic signatures affixed using a digital tool such as Adobe Sign or DocuSign.

If using an electronic signature, the signature must be visible, include the signatory's name and

title, and must be accompanied by a signature date.

Please email required attachments to: samantha.frongillo@mass.gov no later than 4:00 p.m. on May 19, 2023.

Review Process

This is a competitive grant and will be subject to a peer review process. Applications will be reviewed and scored by three reviewers based on the following criteria:

- Clear and adequate responses in Section I: Application Template Information; (10 Points)
- Use of data to demonstrate need and a describe how requested programming address the stated need; (25 Points)
- A narrative that clearly describes the items to be purchased and/or programming to be implemented, and the benefits to the department and/or community; (25 Points)
- Implementation plan and timeline that is feasible and ensures the initiative will be implemented and completed within the anticipated grant period; and (15 Points)
- A detailed, reasonable, relevant and complete budget. (25 Points)

Notification of Awards

Funding decisions are at the discretion of the Executive Director of OGR and Secretary of Public Safety and Security. It is anticipated that the grant awards will be announced June 2023.

OGR reserves the right to adjust maximum award obligations and/or award additional proposals recommended for funding by the peer reviewers if additional JAG or other state or federal funds become available at the time the initial awards are made.