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|  |  **Commonwealth of Massachusetts****Executive Office of Public Safety and Security****Office of Grants and Research****Highway Safety Division****Notice of Availability of Grant Funds (AGF)**  |  |

# FFY 2020 Sustained Traffic Enforcement Program

**Charles D. Baker**

**Governor**

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**Secretary**

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**Lieutenant Governor**

**Kevin J. Stanton**

**Executive Director**

**Application Deadline: December 18, 2019**

The FFY 2020 Sustained Traffic Enforcement Program (STEP) Availability of Grant Funds (AGF) contains:

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***I. Program Overview***

The Office of Grants and Research (OGR) announces the availability, contingent on receipt of federal funds, of approximately $980,000 in grant funding in Federal Fiscal Year 2020 for eligible local police departments to implement a Sustained Traffic Enforcement Program (STEP). OGR is the State Administering Agency for traffic safety grants provided to the state by NHTSA. These grants are being made available to help reduce roadway crashes, injuries, fatalities, and their associated economic losses.

***II. Key Dates***

AGF Release November 20, 2019

Application Deadline December 18, 2019 @ 4 PM EST

Award Announcements December/January

Grant Period End Date September 15, 2020

***III. Program Background***

Now in its seventh year, the STEP Grant provides funding for departments to conduct sustained, high-visibility, year-round traffic enforcement using data to focus sharply on specific times of year, days, and locations when and where fatal and injury resulting crashes are highest in their communities. Increased enforcement patrols also raise the public’s perception of a greater risk of being stopped by police for unlawful behaviors as well as acting as a deterrent to impaired, distracted, and/or unbelted drivers.

Since 2002, law enforcement agencies have been awarded grants to participate in high-visibility enforcement (HVE) campaigns addressing primarily occupant protection and impaired driving, but at times also speeding as well as aggressive and distracted driving. The results have been positive, but more work by law enforcement is necessary to make our roadways safer. For instance, in Massachusetts, the seat belt use rate was 74% in 2017. Through the efforts of the state and local police departments, that rate jumped to 81.6% in 2018. While significant, the seat belt rate in Massachusetts still lags behind the national rate of 90% (2017).

The intent of this grant program in FFY 2020 is to help achieve the following statewide goals based on CY 2016-2020 data outlined in the OGR’s FFY 2020 Highway Safety Plan including:

* Five-year average for fatalities will drop 2% from 357 in 2017 to 349 by December 31, 2020
* Five-year average for serious injuries will decrease 10% from 3,146 in 2017 to 2,649 by December 31, 2020
* Five-year average for fatalities/VMT will drop 2% from 0.61 in 2017 to 0.58 by December 31, 2020

***IV. Eligibility***

The sixteen local police departments below are eligible to apply for STEP funds.

 *Department Maximum Award Amount*

* Barnstable $ 44,000
* Boston $ 90,000
* Brockton $ 60,000
* Cambridge $ 60,000
* Chicopee $ 45,000
* Fall River $ 54,000
* Framingham $ 54,000
* Holyoke $ 54,000
* Lowell $ 60,000
* Lynn $ 60,000
* New Bedford $ 45,000
* Newton $ 44,000
* Quincy $ 60,000
* Springfield $100,000
* Taunton $ 60,000
* Worcester $ 90,000

Eligibility was based on crash data (2013-2017) from the Massachusetts Registry of Motor Vehicles (RMV) and Fatality Analysis Reporting System (FARS). The 16 eligible communities, also known as, ‘hotspots’ have the highest percentage rate of crashes in Massachusetts with fatal or non-fatal injuries.

Each eligible department will be required to submit a grant application no later than December 18, 2019 and, upon approval of the application, a Standard Contract Form will be issued to provide grant funding. The application form and other supporting documents can be found at <https://www.mass.gov/service-details/traffic-safety-grants> under the FFY 2020 Sustained Traffic Enforcement Program link.

***V. Award Information***

*Availability of Funds*

All awards are subject to the availability of appropriated federal funds and any modifications or additional requirements that may be imposed by law.

Applicants ***must*** have a Seat Belt Policy in place to be awarded funds from this program and **a copy of the policy must be submitted with the application.**

*Funding Sources*

Funding for this program will come from one or more of the following federal grant programs as established in Title 23, Chapter 4, and 23 CFR Part 1300 sections as follows:

* *402*: Highway Safety Programs- Programs (1) to reduce injuries and deaths resulting from motor vehicles being driven in excess of posted speed limits, (2) to encourage the proper use of occupant protection devices (including the use of safety belts and child restraint systems) by occupants of motor vehicles, (3) to reduce deaths and injuries resulting from persons driving motor vehicles while impaired by alcohol or a controlled substance, (4) to prevent crashes and reduce deaths and injuries resulting from crashes involving motor vehicles and motorcycles, (5) to reduce injuries and deaths resulting from crashes involving school buses, and (6) to reduce crashes resulting from unsafe driving behavior (including aggressive or fatigued driving and distracted driving arising from the use of electronic devices in vehicles) and (7) to improve law enforcement services in motor vehicle crash prevention, traffic supervision, and post-crash procedures.
* *405b*: Occupant Protection Grants- This section establishes criteria, in accordance with 23 U.S.C. 405(b), for awarding grants to States that adopt and implement effective occupant protection programs to reduce highway deaths and injuries resulting from individuals riding unrestrained or improperly restrained in motor vehicles.
* *405d*: Impaired Driving Countermeasures Grants- This section establishes criteria, in accordance with 23 U.S.C. 405(d), for awarding grants to States that adopt and implement effective programs to reduce traffic safety problems resulting from individuals driving motor vehicles while under the influence of alcohol, drugs, or the combination of alcohol and drugs

*Funds Disbursement*

This is a cost-reimbursement grant. Be sure to notify your Treasurer’s Office, so your reimbursements do not go into the General Fund but rather to your department budget.

*Pre-Agreement Cost*

Pre-agreement costs are not allowable. Please be aware that any costs incurred prior to the start date of the contract will not be reimbursed.

*Match Requirement*

There is no match requirement.

***VI. Program Details***

High-Visibility Enforcement Patrols

* Grant-funded enforcement must occur on days, times and locations where the risk of crashes are most likely. OGR strongly encourages departments to develop and utilize an evidence-based traffic enforcement plan that consists of crash data analysis, deployment of resources based on that analysis, and continuous follow-up and adjustment to the plan. While such a plan will come primarily from the department’s own data resources, helpful websites include:
	+ *MassDOT Crash Portal, now called “Impact,” at* [*https://apps.impact.dot.state.ma.us/cdp/home*](https://apps.impact.dot.state.ma.us/cdp/home)*.*
	+ *Massachusetts Law Enforcement E-Crash Manual at* [*https://masscrashreportmanual.com/*](https://masscrashreportmanual.com/) *(help w/submitting better crash reports)*
* If a department is also participating in the FFY 2020 Traffic Enforcement (TE) grant, it is permissible to conduct STEP patrols at the same time. However, the department cannot report the same shift activity against both grants and must use the appropriate (TE or STEP) grant expenditure and activity reporting forms.
* Patrols by each officer under this grant must be no less than two hours and no greater than eight hours in length and must be devoted solely to traffic enforcement activities.
* Officers’ time funded with STEP grant funds shall be dedicated to traffic law enforcement, except in the case of a criminal offense committed in the officer’s presence, in the case of response to an officer in need of immediate emergency assistance, or in the case of an unexpected event when all available personnel must be committed.
* It is strongly recommended that officers working grant-funded traffic enforcement patrols be certified in Radar or LiDAR speed measurement, are proficient in conducting Standardized Field Sobriety Tests (SFSTs), and have completed the Advanced Roadside Impaired Driving Enforcement (ARIDE) course; refer to the Municipal Police Training Committee (MPTC) at [www.mass.gov/mptc](http://www.mass.gov/mptc) for other specialized courses. Additional training courses can be found through the National Highway Traffic Safety Administration’s (NHTSA) Transportation Safety Institute (TSI).
* If an officer makes an arrest during the shift, but does not complete the arrest before the shift is scheduled to end, the officer may continue working under the grant to complete that arrest. Requests for reimbursements must not exceed budget**.**
* The use of part-time or auxiliary officers who have attended an approved Municipal Police Training Committee (MPTC) Reserve/Intermittent academy is allowed. Part-time officers on OGR-funded initiatives must be under the supervision or control of a full-time command officer.
* To maximize grant funding, patrols must consist of one grant-funded officer per cruiser; however, multiple cruisers may be deployed simultaneously. In certain circumstances, at the discretion and approval of OGR, and/or during special enforcement mobilizations, more than one officer per cruiser may be allowed.
* Departments are required to conduct a minimum of three documented stops or contacts for each officer per hour. Documented stops or contacts are defined as any grant-funded patrol officer contact with a motorist during the high-visibility traffic enforcement periods that can be supported by written or electronic records maintained at the police department. These records must be maintained in a manner that guarantees their accountability during a review or audit (records must be maintained for six years after the end of the grant period). If fewer than three (3) stops per hour without substantial reason, OGR reserves the right to end program participation for the remainder of the federal fiscal year.
	+ Nothing in this grant program shall be interpreted as a requirement, formal or informal, that a law enforcement officer issue a specified or predetermined number of citations in pursuance of the department’s obligation associated with the grant.
* Non-participation or non-compliance with performance measures may result in contract suspension, termination, non-reimbursement of project expenses and/or ineligibility in the following year’s grant program.

***VII. Budget Information***

*Compensation*

* Compensation for law enforcement officers performing grant-funded patrols is the only allowable cost category for this program with the exception of grant-funded data entry/administrative costs within the approved budget.
* Compensation for full-time officers will be reimbursed at an overtime rate of pay as established by the department and/or municipality. Holiday rates of pay may be used, if applicable. Compensation for data entry/administrative personnel will be reimbursed at straight or overtime rate of pay.
* Part-time or auxiliary officers who have attended an approved MPTC Reserve/Intermittent academy will be reimbursed at their normal rate of pay.
* Departments will be reimbursed only for hours worked performing authorized grant-funded enforcement and data entry/administrative activities.
* Command staff may participate in and be compensated for enforcement details if acting in a traffic enforcement role rather than acting exclusively in a supervisory role overseeing officers engaged in traffic enforcement.
* Based on the availability of federal funds, OGR may increase funding or add more departments to this program.

*Supplanting*Supplanting of funds is prohibited. Supplanting includes: (a.) replacing routine and/or existing state or local allocations with federal grant funds and/or (b.) using federal grant funds for costs of activities that constitute general expenses required to carry out the overall responsibilities of the state, local, or federally-recognized Indian tribal governments. Funds for programs and services provided through this grant are *intended to supplement*, not supplant, state or local funding sources.

*Allowable Costs*

* Allowable overtime cost must be consistent with:
* NHTSA Guidance “Paying for Law Enforcement and Prosecutors’ Activities”, Date of Issuance 8/13/2019 and;
* Title 2 CFR Part 200- UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS, §200.430 Compensation—personal services
* OGR, local, and state policies
* Overtime must be defined in the grant subrecipient’s established written policies*;* ***a copy of your department’s overtime policy must be provided in the application.***
* Reimbursement for hours of eligible activity includes compensation only for time spent on the grant-funded activity and a corresponding proportional share of fringe benefits
* Overtime costs beyond hours worked for any reason (i.e. Union rules) must be paid by the subrecipient or from another source and are not eligible for reimbursement from the grant program

*Unallowable Costs*

This grant must not be used to pay for any supervisor time. Supervisors and command staff may participate in enforcement details if conducting traffic enforcement.

**VIII. Post Award Requirements**

*Reporting and Recordkeeping*

* Expenditure and activity reports must be submitted each month, no later than the 15th of the month following activity. ***Scanned original signatures in PDF format will be acceptable for monthly reporting (no Excel file documents).*** Electronic copies are the preferred method for reporting. If a department wishes to mail the reports, it is recommended to use certified mail and that they alert the program coordinator beforehand that the documents are being mailed.
* ***If no activity was conducted in a given month, departments must submit a one-page Expenditure report indicating the month, $0 dollars and reason for non-activity.***  A signed PDF must be emailed to the program coordinator no later than the 15th of the month following the month of inactivity.
* All reporting forms are available at <https://www.mass.gov/service-details/traffic-safety-grants> under the link for the FFY 2020 STEP grant.
* Reporting forms must show at a minimum:
	+ Expenditure Report:
		- Officer Name, Date, Time of Shift, Actual Patrol Hours, Hourly Rate of Pay
	+ Activity Report:
		- Location of Patrol(s)
		- Officer Name, Date, # of Traffic Stops and Shift Activity
		- NEW: Time of the First and Last Documented Stop of each patrol shift
* Subrecipients must submit a Final Narrative Report, ***no later than October 15, 2020***, summarizing accomplishments, challenges and progress towards measurable goals as stated in the application.
* If the Chief works a program shift, a community official must sign off on the Expenditure Report. In addition, the Chief may not sign off on the Expenditure Report if his/her spouse, child or sibling works the same program shift.
* With 48 hours’ notice, a site visit may be conducted of grant records at departments.
* Departments must keep on file copies of citations, documented stops, officer time schedules written under this grant program, and all other pertinent information for six years.

*SPECIAL NOTE:*

Should a department be invited to participate in a FFY20 pilot project sponsored by the Massachusetts State Police (MSP) to assist in sobriety checkpoints and saturation patrols, the STEP department ***must notify OGR in order to obtain authorization***. Upon written approval, a portion of a department’s STEP award funds may be used to participate in the MSP pilot project.

*General Information*

* The Catalog of Federal Domestic Assistance (CFDA)/Assistance Listing for this grant is #20.600 and 20.616.
* Changes may be made to resource allocations based on future needs identified through data analysis.
* Be advised OGR selection of a subrecipient agency does not guarantee reimbursement. Funding is subject to appropriation and is contingent upon compliance with all grant conditions and eligibility requirements. If the federal government determines that a subrecipient agency does not comply with federal eligibility requirements, OGR cannot guarantee alternative sources of funding. It is the obligation of the subrecipient agency to ensure compliance with all eligibility requirements.
* All subrecipients who are law enforcement agencies receiving any state or federal grant award from OGR will be required to participate and submit case-specific information on officer-administration of Narcan/Naloxone using a reporting tool as determined by EOPSS.
* All grantees must comply with the Federal Funding Accountability and Transparency Act (FFATA) as will be further instructed by OGR.
* In addition to the requirements set forth above, grantees will be required to abide by all state and federal rules, regulations, and conditions pertaining to the receipt, administration, and management of federal funding.
* No department may begin grant-funded enforcement efforts until, the department and the executive director of OGR have signed a contract and, the department **receives written notification from OGR**. No costs incurred before the department receives written notification will be reimbursed. No costs incurred after September 15, 2020 will be reimbursed. There will be no exceptions.
* *Important: Based on our efforts to best utilize federal funds, increase program participation and administer with fairness to all participating grantees, please note that in subsequent year of an award, a department’s eligibility and funding level will be based on OGR’s evaluation of the program’s prior year efforts in the following areas: performance against goals, benchmarks and performance measures stated in original application, overall level of program participation and unspent funding rate.*

 *Public Outreach*

* All public communications and/or news releases concerning any grant activity shall indicate that the project is funded by EOPSS.
* Media outreach and social media technical assistance are available to departments at no cost by OGR and/or its media contractor.
* Newspaper clippings generated by department, press releases, and reports of local radio and TV coverage should be included with grant reports as well as posted on department/community websites, and in annual reports.

*Motor Vehicle Automated Citation and Crash System (MACCS)*

MACCS is a browser-basedapplication available statewide to law enforcement agencies for the purpose of collecting, reconciling, and exchanging motor vehicle incident information including electronic citation reporting, crash reporting, and traffic stop data collection. MACCS can be used in a cruiser, on a motorcycle, or in the station. The MACCS project is the result of a partnership between EOPSS’s Office of Grants and Research and Department of Criminal Justice Information Services (DCJIS), local and state law enforcement, and MassDOT.

The goals of the MACCS project are to ensure greater officer and citizen safety by making the reporting process more efficient at the roadside, improve data quality by implementing checks at the point of entry and upon submittal, and eliminate redundant data entry processes for agencies across Massachusetts.

If interested in learning more about the MACCS project, please contact Michaela Dunne, MA Dept. of Criminal Justice Information Services - michaela.dunne@mass.gov.

**IX. Office of Grants and Research Overtime Policy**

This policy applies to all subrecipients and contractors that receive a Federal grant award from the Executive Office of Public Safety and Security’s Office of Grants and Research (OGR).

State and local first responders that are eligible through their department for **backfill and/or overtime costs** (and preapproved by OGR) may be reimbursed for backfill and/or overtime costs **related to grant funded activities ONLY.**

**Overtime** hours being charged against a federal grant award provided by OGR may only seek reimbursement for **actual hours worked** regardless of union contract rules.   For example, an officer working one hour of overtime on a federally funded project awarded by OGR is **prohibited** from **charging the grant award for 4 hours of overtime** due to a union contract.  A department that must allow for this will need to cover the remaining 3 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 back to OGR.**

**Definitions**

For the purpose of 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 direct result of their performance of approved activities related to the project receiving federal funding.
* *Backfill related Overtime-*Expenses limited to overtime costs that result from personnel who are working overtime (as identified above) to perform the duties of other personnel who are temporarily assigned to an approved grant activity outside of their core responsibilities.
* *Subrecipient-*An entity receiving a grant award from OGR.
* *First Responder*-State or local law enforcement, fire services, emergency medical services, emergency management, health care, hazardous materials, public safety communications, public health, public works, and government administrative type employees.  ***Note: each federal award has different criteria as to the type of individual allowed to be reimbursed for overtime costs.  Please reference your specific grant application or OGR point of contact to determine qualifying personnel for overtime.***

If awarded to utilize grant funding for overtime costs, OGR staff 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.

**X. Submission of Application Instructions**

A qualified application packet must include the completed grant application form and all other required forms (noted in the application). Incomplete applications may be disqualified, although OGR reserves the right to work with departments to obtain missing or incomplete information.

Questions regarding this AGF and the STEP grant should be directed to Deb Firlit at 617.725.3356 or Deborah.Firlit@mass.gov.

This AGF as well as the application and all required forms are available at <https://www.mass.gov/service-details/traffic-safety-grants> under the “FFY 2020 Sustained Traffic Enforcement Program” link.

**An original application form with attachments and one complete copy must be received by certified mail or hand-delivery at OGR no later than December 18, 2019.** Faxed or electronic responses will NOT be accepted.

It is suggested that departments email Deb Firlit at Deborah.Firlit@mass.gov to verify receipt of application prior to deadline.

Please direct application packets to the following address exactly as shown below:

Office of Grants and Research, Highway Safety Division

*ATTN: Deb Firlit*

10 Park Plaza, Suite 3720-A

Boston, MA 02116