



John D. Wentworth, Clackamas County District Attorney

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January 18, 2024

BCC Agenda Date/Item: _____

Board of County Commissioners
Sitting/Acting as _____
Clackamas County

Approval to apply for a Grant from the Federal Bureau of Justice Assistance for the Matthew Shepard and James Byrd, Jr. Hates Crimes Program. Anticipated Grant Award is \$800,000 over 4 years. Funding through the US Department of Justice. No County General Funds are involved.

Previous Board Action/Review	Briefed at Issues – January 16, 2024		
Performance Clackamas	Ensure safe, healthy, and secure communities.		
Counsel Review	No	Procurement Review	No
Contact Person	Scott Healy	Contact Phone	503-655-8343

EXECUTIVE SUMMARY: In recent years, the county has experienced not only an increase in size and diversity, but in reported hate crimes as well. Along with this population growth, Clackamas County has seen a 366% increase in bias reports to the DOJ Bias Crime Hotline since 2020. According to estimates by the U.S. Bureau of Justice Statistics, this increase accounts for only a small fraction of hate crimes, as 97% of bias incidents go unreported.

However, the large increase in reporting to the DOJ has not translated into law enforcement referrals to the Clackamas County District Attorney's Office (CCDA). Based on this significant difference, we believe our current referral rate does not reflect the number of bias crimes occurring in the county.

Our office recognizes the vital role we play in closing the gap between the real number of bias crimes occurring in our community and what is ultimately reported to law enforcement, investigated, and subsequently referred to the CCDA. Tackling this complex issue requires enhanced work in all areas of prevention, incident/crime response, and prosecution. We know that a significant factor in improving bias crime reporting and response is building trust with those directly impacted by these hate crimes in our community.

As a result of these challenges, the CCDA is requesting \$800,000 (\$200,000 annually over four years) from this grant opportunity to fund the following new bias crime initiatives:

1. Creation and implementation of a District Attorney's Community Advisory Council (CAC).
2. Development and implementation of a Bias Crimes Multi-Disciplinary Team (Bias Crimes MDT).
3. Development and dissemination of bias crime training for law enforcement, CCDA employees, and other community partner agencies.
4. Participation in community outreach opportunities.
5. Building ongoing evaluation tools to provide opportunity for continuous improvement and community input.
6. Adding bilingual or polylingual victim advocate who specializes in bias crimes to the District Attorney's staff.

The District Attorney's Office will establish a Community Advisory Council (CAC) with the intent of building relationships and improving trust with law enforcement and other community partners. This will include recruiting a diverse group of community members to serve. The CAC will work to provide insight, strategies, and recommendations to the CCDA on how to establish better connections with communities and ultimately advise around strategic plans for improving law enforcement and other support services for victims of bias crimes in the county.

Additionally, funds will be utilized to create and provide bias crime training for law enforcement, prosecutors, victim advocates, and community members. This training will focus on prevention, law enforcement response, and best practices for bias crime investigation and prosecution.

A new Bias Crime MDT will be created and comprised of members from the CCDA, law enforcement agencies, the Oregon Department of Justice Civil Rights Unit, as well as local community partner organizations. The MDT will meet regularly to discuss and implement strategies to combat bias crimes, support interagency collaboration, and coordinate training, education, and outreach events. The MDT will be led by a specially trained CCDA prosecutor.

Our office will simultaneously seek opportunities to provide or participate in community outreach events to help build public trust and awareness of public safety and community resources. Funds will also be used to support the printing, translating, and distribution of informational outreach materials.

The CCDA will also create comprehensive evaluation tools and assessments to ensure ongoing meaningful community engagement, positive organizational change, and evidence-based decision-making to improve bias crime prevention, response, and prosecution.

Finally, the CCDA plans to add a bilingual or polylingual victim advocate employee who specializes in bias crime victim support. This person will receive bias crime training on a regular basis, help with the training of other MDT and community members, be involved in outreach to affected communities, and provide best-practice and trauma informed services to victims of bias crimes.

RECOMMENDATION: I respectfully recommend that the Board of County Commissioners approve the application for the DOJ Bias Crimes Grant for 2023-2027 between Clackamas County, acting by and through its District Attorney's Office, and the Federal Bureau of Justice Assistance, acting by and through the BJA Matthew Shepard and James Byrd, Jr. Hate Crimes Program.

Respectfully submitted,

John D. Wentworth
Clackamas County District Attorney

For Filing Use Only

Financial Assistance Application Lifecycle Form

Use this form to track your potential award from conception to submission.

Sections of this form are designed to be completed in collaboration between department program and fiscal staff.

If renewal or direct appropriation, complete sections I, II, IV & V only. Section III is not required.

If Disaster or Emergency Relief Funding, EOC will need to approve prior to being sent to the BCC

****CONCEPTION****

Section I: Funding Opportunity Information - To Be Completed by Requester

Award type: Direct Appropriation (no application) Subrecipient Award Direct Award

Award Renewal? Yes No

Lead Fund # and Department:	Fund #100; 24 DA District Attorney's Office
Name of Funding Opportunity:	FY 2023 Matthew Shepard and James Byrd, Jr. Hate Crimes Program

Funding Source: Federal – Direct Federal – Pass through State Local

Requestor Information: (Name of staff initiating form)	Scott Healy
Requestor Contact Information:	503-655-8343; scotthea@clackamas.us
Department Fiscal Representative:	Bob Willson
Program Name & Prior Project #: (please specify)	Program - 240102 - Office of the District Attorney / Will need new Project Number.

Brief Description of Project:

- The CCDA is requesting \$800,000 (\$200,000 annually) from this grant opportunity to fund the following new Bias Crime initiatives for the:
1. Creation and implementation of a District Attorney's Community Advisory Council (CAC).
 2. Development and implementation of a Bias Crimes Multi-Disciplinary Team (Bias Crimes MDT).
 3. Development and dissemination of bias and discrimination training for law enforcement, CCDA employees, and community partner agencies.
 4. Participation in community outreach opportunities.
 5. Building ongoing evaluation tools to provide opportunity for continuous improvement and community input.

Name of Funding Agency: Bureau of Justice Assistance - Office of Justice Programs - US DOJ

Notification of Funding Opportunity Web Address: <https://www.ojp.gov/ncjrs/new-ojp-resources>

OR

Application Packet Attached: Yes No

Completed By: Scott P. Healy Date: 11/27/2023

**** NOW READY FOR SUBMISSION TO DEPARTMENT FISCAL REPRESENTATIVE ****

Section II: Funding Opportunity Information - To Be Completed by Department Fiscal Rep

Competitive Application Non-Competing Application Other

Assistance Listing Number (ALN), if applicable:		Funding Agency Award Notification Date:	9/30/2023
Announcement Date:	3/06/2023	Announcement/Opportunity #:	O-BJA-2023-171642
Grant Category/Title	Hate Crimes Program	Funding Amount Requested:	\$800,000
Allows Indirect/Rate:	Yes	Match Requirement:	N/A
Application Deadline:	5/25/2023	Total Project Cost:	\$800,000
Award Start Date:	10/01/2023	Other Deadlines and Description:	5/30/23 - Application JustGrants Deadline
Award End Date	9/30/2027		
Completed By:	Bob Willson	Program Income Requirements:	
Pre-Application Meeting Schedule:			

Additional funding sources available to fund this program? Please describe:

N/A

How much General Fund will be used to cover costs in this program, including indirect expenses?

Estimated at \$19,000 per year.

How much Fund Balance will be used to cover costs in this program, including indirect expenses?

N/A

In the next section, limit answers to space available.

Section III: Funding Opportunity Information - To Be Completed at Pre-Application Meeting by Dept Program and Fiscal Staff

Mission/Purpose:

1. How does the grant/funding opportunity support the Department and/or Division's Mission/Purpose/Goals?

The mission of the District Attorney's Office is to provide leadership, accountability, and high-quality service in a fair and just manner so that those who live, work, and play in Clackamas County can enjoy a safe and livable community. As bias crimes continue to rise across the United States, our office is committed to effectively prosecuting all bias crimes that occur in our jurisdiction. This grant will allow our office to engage meaningfully with the Clackamas County community, build stronger relationships with community partners, and to comprehensively address and prevent hate crimes through increased public awareness and reporting of hate crimes and to enhance law enforcement and prosecution strategies to prevent and respond to hate crimes, thereby bringing justice for hate crime victims and other stakeholders.

2. Who, if any, are the community partners who might be better suited to perform this work?

We are the only bias crime prosecution agency in our County that works in conjunction with the State Department of Justice (DOJ) and Federal prosecution entities. Our office is in a unique position to bring together the community and law enforcement to enhance bias crime prevention, response, and prosecution.

3. What are the objectives of this funding opportunity? How will we meet these objectives?

Our office is seeking this grant to support enhanced prevention, response, and prosecution of bias crimes here in Clackamas County. The CCDA will concentrate on relationship building and recruitment for a new Community Advisory Board that will tackle important issues, including bias crimes. Additionally, our office will work with local law enforcement agencies and community based organizations to build stronger regional prevention of and response to hate crimes and bias incidents, including coordinating agency trainings on bias crimes and best practices for prevention, response, and prosecution. The office will have staff time dedicated (as outlined here) to these projects, as well as building partnership with community organizations to build ongoing stability. As part of the DOJ proposal we will submit to the DOJ within the first six months of the grant, we will solidify the accountability factors that our office will be monitoring, evaluating, and reporting on to ensure strong, positive outcomes and continuous improvement.

4. Does the grant/financial assistance fund an existing program? If yes, which program? If no, what is the purpose of the program?

No, this grant will be used to support the creation and implementation of new programs which will include a Community Advisory Council, a new bias incident crimes training program, and support the Bias Crimes Multidisciplinary Team. These are all new programs that the CCDA will be able to collaboratively facilitate and coordinate for our community regarding bias crime prevention, response, and prosecution.

Organizational Capacity:

1. Does the organization have adequate and qualified staff? If no, can staff be hired within the grant/financial assistance funding opportunity timeframe?

Yes, current staffing will be utilized for the management and implementation of this grant, in conjunction with community partners. One new bilingual Victim Advocate position will be created as a result of this grant funding. The CCDA currently has two Deputy District Attorney's prosecuting bias crimes, we have a qualified team of employees that participate in our Core Equity Team, who have additional training and expertise in Equity, Diversity, and Inclusion issues, including bias and hate crimes, as well as developing training curriculum and providing community outreach.

2. Are there partnership efforts required? If yes, who are we partnering with and what are their roles and responsibilities?

Yes. The CCDA will partner with local law enforcement agencies as well as community based organizations. To effectively do this work, our office will begin building new and strengthening existing relationships with community partners; with special attention to those that are part of historically undeserved and marginalized groups in our community. Additionally, working with existing experts, such as the Oregon DOJ Civil Rights Unit, will be paramount to building an effective foundation for robust bias crimes prevention, response, and prosecution. We will be working with local law enforcement to train officers to enhance response, supporting efforts for outreach and relationship building with the public, and assisting with updating policies and practices as needed. We will be partnering with additional community agencies who work directly with marginalized groups to support their efforts, provide outreach, and enhance relationships to grow trust and accountability with the public. These agencies, alongside industry experts, will inform and guide our work in improving bias crime prevention, response, and prosecution.

3. If this is a pilot project, what is the plan for sun setting the project and/or staff if it does not continue (e.g. making staff positions temporary or limited duration, etc.)?

N/A

4. If funded, would this grant/financial assistance create a new program, does the department intend for the program to continue after initial funding is exhausted? If yes, how will the department ensure funding (e.g. request new funding during the budget process, supplanted by a different program, etc.)?

The new program will remain in place as long as grant/financial assistance is available from DOJ/OJP/BJA.

Collaboration

1. List County departments that will collaborate on this award, if any.

The Clackamas County Sheriff's Department and Clackamas County Community Corrections.

Reporting Requirements

1. What are the program reporting requirements for this grant/funding opportunity?

Award recipients typically must submit quarterly financial reports, semi-annual performance reports, final financial and performance reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

2. How will performance be evaluated? Are we using existing data sources? If yes, what are they and where are they housed? If not, is it feasible to develop a data source within the grant timeframe?

The grant must focus on bias crime prevention, response, and/or prosecution. Within the first six months: submit an action plan and MOU's signed from all funded partners. Once the action plan must be submitted and approved by BJA our office will work with our partners to implement based on the action plan timeline - the BJA, the training and technical assistance providers, and our office will use this action plan to guide and track progress toward our programs' objectives.

3. What are the fiscal reporting requirements for this funding?

Award recipients typically must submit quarterly financial reports, semi-annual performance reports, final financial and performance reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund draw downs may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

Fiscal

1. Are there other revenue sources required, available, or will be used to fund the program? Have they already been secured? Please list all funding sources and amounts.

None

2. For applications with a match requirement, how much is required (in dollars) and what type of funding will be used to meet it (CGF, In-kind, local grant, etc.)?

N/A

3. Does this grant/financial assistance cover indirect costs? If yes, is there a rate cap? If no, can additional funds be obtained to support indirect expenses and what are those sources?

Yes. based on the information and link in the Application Resources, two options are available for Indirect Costs. 1) The recipient has a current (unexpired), federally approved indirect cost rate; or 2) The recipient is eligible to use, and elects to use, the "de minimis" indirect cost rate described in the Part 200 Uniform Requirement, as set out at 2 C.F.R. 200.414(f).

Other information necessary to understand this award, if any.

Program Approval:

Name (Typed/Printed)	Date	Signature
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** NOW READY FOR PROGRAM MANAGER SUBMISSION TO DIVISION DIRECTOR **
ATTACH ANY CERTIFICATIONS REQUIRED BY THE FUNDING AGENCY. COUNTY FINANCE OR ADMIN WILL SIGN

Section IV: Approvals

DIVISION DIRECTOR (or designee, if applicable)

Scott P. Healy Dec. 7, 2023 Scott P. Healy
Name (Typed/Printed) Date Signature

DEPARTMENT DIRECTOR (or designee, if applicable)

John D. Wentworth Dec. 6, 2023 J.D.W.
Name (Typed/Printed) Date Signature

FINANCE ADMINISTRATION

Elizabeth Comfort 12.7.2023 Elizabeth Comfort
Name (Typed/Printed) Date Signature

EOC COMMAND APPROVAL (WHEN NEEDED FOR DISASTER OR EMERGENCY RELIEF APPLICATIONS ONLY)

Name (Typed/Printed) Date Signature

Section V: Board of County Commissioners/County Administration

(Required for all grant applications. If your grant is awarded, all grant awards must be approved by the Board on their weekly consent agenda regardless of amount per local budget law 294.338.)

For applications less than \$150,000:

COUNTY ADMINISTRATOR	Approved: <input type="checkbox"/>	Denied: <input type="checkbox"/>
_____ Name (Typed/Printed)	_____ Date	_____ Signature

For applications under \$150,000 email form to Christina Fadenrecht at CFadenrecht@clackamas.us for Gary Schmidt's approval.

For applications \$150,000 and above, email form with Staff Report to the Clerk to the Board at ClerktotheBoard@clackamas.us to be brought to the consent agenda.

BCC Agenda Item #: Date:

OR

Policy Session Date:

County Administration Attestation

County Administration: re-route to department at

and

Grants Manager at financegrants@clackamas.us

when fully approved.

Department: keep original with your grant file.

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance



BJA FY 23 Matthew Shepard and James Byrd, Jr. Hate Crimes Program

Assistance Listing Number # 16.040

Grants.gov Opportunity Number: O-BJA-2023-171642

Solicitation Release Date: March 06, 2023 11:00 AM ET

Step 1: Application Grants.gov Deadline: May 25, 2023 8:59 PM ET

Step 2: Application JustGrants Deadline: May 30, 2023 8:59 PM ET

Overview

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) seeks applications from state, local, and tribal law enforcement and prosecution agencies and their partners in conducting outreach, educating practitioners and the public, enhancing victim reporting tools, and investigating and prosecuting hate crimes committed on the basis of a victim's perceived or actual race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.

This solicitation incorporates guidance provided in the OJP Grant Application Resource Guide which provides additional information for applicants to prepare and submit applications to OJP for funding. **If this solicitation expressly modifies any provision in the OJP Grant Application Resource Guide, the applicant is to follow the guidelines in this solicitation as to that provision.**

Solicitation Categories

Competition ID	Category *	Number of Awards	Dollar Amount for Award	Performance Start Date	Performance Duration (Months)
C-BJA-2023-00053-PROD	Category 1- State or Regional Applications	3	\$4,000,000	10/1/23 12:00 AM	48
C-BJA-2023-00054-PROD	Category 2- Single Agency Applications	10	\$400,000	10/1/23 12:00 AM	48

Eligible Applicants:

Other

Other

State, local, and tribal law enforcement and prosecution agencies. Tribal law enforcement and prosecution agencies must be from federally recognized Indian tribal governments that perform law enforcement functions (as determined by the Secretary of the Interior).

BJA will consider applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (subgrantees). For additional information on subawards, see the [OJP Grant Application Resource Guide](#).

BJA may elect to fund applications submitted under this FY 2023 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and the availability of appropriations.

Contact Information

For assistance with the requirements of this solicitation, contact the OJP Response Center at 800-851-3420, 301-240-6310 (TTY for hearing-impaired callers only), or grants@ncjrs.gov. The OJP Response Center operates from 10:00 a.m. to 6:00 p.m. eastern time (ET) Monday–Friday, and 10:00 a.m. to 8:00 p.m. ET on the solicitation close date.

Pre-application Information Session

BJA will hold a solicitation webinar on April 11, 2023 at 1:00 PM ET. This call will provide a detailed overview of the solicitation and allow an opportunity for interested applicants to ask questions. Preregistration is required for all participants. Register by clicking on this [link](#) and following the instructions. To use the time most efficiently, BJA encourages participants to review the solicitation and submit any questions they may have in advance and no later than Friday, April 7, 2023. Submit your questions to Olivia.C.Schnitzer@usdoj.gov with the subject as “Questions for Matthew Shepard and James Byrd, Jr. Hate Crimes Program Webinar.”

Submission Information

Registration: Before submitting an application, all applicants must register with the System for Award Management (SAM). You must renew and validate your registration every 12 months. If you do not renew your SAM registration, it will expire. An expired registration can delay or prevent application submission in Grants.gov and JustGrants. Registration and renewal can take up to 10 business days to complete.

Submission: Applications must be submitted to DOJ electronically through a two-step process via Grants.gov and JustGrants.

Step 1: The applicant must submit by the Grants.gov deadline the required **Application for Federal Assistance standard form (SF-424)** and a **Disclosure of Lobbying Activities (SF-LLL)** form when they register in Grants.gov at <https://www.grants.gov/web/grants/register.html>. **Submit the SF-424 and SF-LLL as early as possible, but no later than 48 hours before the Grants.gov deadline.** If an applicant fails to submit in Grants.gov, they will be unable to apply in JustGrants.

For technical assistance with submitting the SF-424 and a SF-LLL in Grants.gov, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, Grants.gov Customer Support, or support@grants.gov. The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

Step 2: The applicant must submit the **full application**, including attachments, in JustGrants at [JustGrants.usdoj.gov](https://www.justgrants.usdoj.gov) by the JustGrants application deadline.

For technical assistance with submitting the **full application** in JustGrants, contact the JustGrants Service Desk at 833-872-5175 or JustGrants.Support@usdoj.gov. The JustGrants Service Desk operates 7 a.m. to 9 p.m. ET Monday–Friday and 9 a.m. to 5 p.m. ET on Saturday, Sunday, and Federal holidays.

OJP encourages applicants to review the “[How To Apply](#)” section in the [OJP Grant Application Resource Guide](#) and the [JustGrants website](#) for more information, resources, and training. Applicants should maintain all receipts and confirmations received from SAM.gov, Grants.gov, JustGrants systems.

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Program Description

Overview

OJP is committed to advancing work that promotes civil rights and racial equity, increases access to justice, supports crime victims and individuals impacted by the justice system, strengthens community safety and protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

The Matthew Shepard and James Byrd, Jr. Hate Crimes Program supports efforts by state, local, and tribal law enforcement and prosecution agencies and their partners in conducting outreach, educating practitioners and the public, enhancing victim reporting tools, and investigating and prosecuting hate crimes committed on the basis of a victim's perceived or actual race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.

Statutory Authority

Pub. L. No. 111-84, Div. E, Sec. 4704 (codified at 34 U.S.C. 30503); Department of Justice Appropriations Act, 2023 (Pub. L. No. 117-328; 136 Stat. 4459, 4537)

Specific Information

Matthew Shepard and James Byrd, Jr.

In the autumn of 1998, Matthew Shepard was robbed, tortured, tied to a fence along a country road, and left to die by two men who offered him a ride home from a local bar. The investigation into Matthew Shepard's death found strong evidence that his attackers targeted him because he was gay.

That same year, James Byrd, Jr. — a 49-year-old African American man living in Jasper, Texas — accepted a ride home from three men. They drove him to the remote edge of town where they beat him severely, tied him by the ankles to the back of a pickup truck, and dragged him to his death. The three men responsible for his killing were well-known white supremacists.

The Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act was signed into law by President Barack Obama in 2009. The Shepard-Byrd Hate Crimes Prevention Act enables the U.S. Department of Justice (the "Department") to prosecute crimes motivated by race, color, religion, and national origin without having to show that the victim was engaged in a federally protected activity. The law also empowers the Department to prosecute hate crimes committed because of a person's sexual orientation, gender, gender identity, or disability. In addition, the law authorized BJA's grant program supporting state and local investigations and prosecutions of hate crimes.

On the 5-year anniversary of the signing of the Shepard-Byrd Hate Crimes Act, Mrs. Shepard, Matthew's mother, said, "On the long road to passing this law, Dennis and I always kept in mind the true purpose, which was to not only see that justice is done for hate crime victims and their loved ones, but more importantly to educate the public about the sheer size of this problem and

the community about the exact ways it can protect them.”

Program Information

The Matthew Shepard and James Byrd, Jr. Hate Crimes Program at BJA (Shepard/Byrd Hate Crimes Program) supports state, local, and tribal law enforcement and prosecution agencies in their outreach to and education of the public, victims, and their staff and partners on hate crimes. This program also supports the investigation and prosecution of hate crimes. Hate crimes (sometimes called bias-motivated crimes) are criminal offenses motivated by some form of bias toward a victim on the basis of their perceived or actual race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.

In response to the increase in hate crimes, BJA is seeking applications which employ a comprehensive approach to prevent and address hate crimes, including outreach and education efforts for the victims, the communities most impacted by hate incidents and hate crimes, and the public, along with education and training for law enforcement, prosecutors' offices, and their partners in responding to, investigating, and prosecuting hate crimes. Funding can also be used to address serial violent hate crime offenses by the same person (s).

This funding is designed to assist jurisdictions in addressing hate crimes and to assist victims and communities that are facing an increase in hate crimes. The Shepard/Byrd Hate Crimes Program explores opportunities to support and encourage the establishment of partnerships between law enforcement and prosecution agencies and community-based organizations to prevent discrimination, bullying, harassment, and hate crimes, as well as improve victim reporting of hate incidents and crimes and law enforcement reporting of hate crimes. Finally, this program may be used to address the unique needs of schools, colleges, and universities in preventing and addressing hate crimes.

Prevalence and Data Resources

Hate crimes are chronically underreported to and underidentified by law enforcement. Tools such as the U.S. Bureau of Justice Statistics' National Crime Victimization Survey (NCVS) and the Federal Bureau of Investigation's UCR program can shed some light on trends among those hate crimes reported to law enforcement or via NCVS.

Though these crimes are often underreported, in recent years, there have been alarming spikes in hate crimes and threats of violence across the country, often fueled by online hate forums. In 2021 and 2022, there have been a number of attacks on houses of worship and threats against historically Black colleges and universities. Hate also continues to drive many acts of mass violence including the Tops grocery store shooting in Buffalo, NY and the Club Q shooting in Colorado Springs, CO.

Though many jurisdictions are facing significant increases in hate crimes, recent research from the National Institute of Justice (NIJ) indicates that many state and local police agencies do not have adequate tools to identify, investigate, and respond to hate crimes. In this survey of law enforcement, 81 percent of responding agencies reported that they do not have personnel or units dedicated to investigating hate crimes. Just over 50 percent of responding agencies have either agency-level written policy guidelines for investigating hate

crimes or specialized hate crimes training delivered in the past 2 years. Furthermore, only 29 percent of responding agencies had conducted outreach to local advocacy groups on hate crimes.

Hate crimes can be more violent and involve greater victim injury as compared to other victimizations, yet they are substantially underreported. Victim reluctance to contact law enforcement may arise from perceptions of police bias, distrust of law enforcement or the criminal justice system, or barriers such as language or concerns about their immigration status. As law enforcement agencies use data to inform their strategies and allocation of resources, this underreporting can pose a unique challenge in addressing hate crimes. Law enforcement and prosecutors may also lack the appropriate understanding and training needed to identify, report, or charge these crimes or effectively investigate and prosecute these cases. Research supported by NIJ found that only 23 percent of police agencies that responded to the survey reported any hate crime investigations in 2018.

Hate crimes have a devastating effect beyond the harm inflicted on any one victim. They reverberate through families, communities, and the entire nation as others fear that they too may be threatened, attacked, or forced from their homes because of what they look like, who they are, where they worship, who they love, or whether they have a disability. As with most other crimes, the vast majority of hate crimes in the United States are investigated under state law and prosecuted by local, state, and tribal authorities.

The Federal Response to Hate Crimes

The federal government also has an important role to play in addressing hate crimes through collaboration with state, local, and tribal partners. Eliminating hate crimes and bias-motivated violence in communities and the country is one of the Department's highest priorities. The Department's Hate Crimes Enforcement and Prevention Initiative is charged with coordinating DOJ's efforts to eradicate hate crimes, in part by facilitating training, outreach, and education to law enforcement agencies and the public at the federal, state, local, and tribal levels. This work is collaborative and includes DOJ's Civil Rights Division, the Community Relations Service, U.S. Attorneys' Offices (USAOs), the Federal Bureau of Investigation (FBI), the Office of Community Oriented Policing Services, and other program offices in OJP such as the Office for Victims of Crime and the Bureau of Justice Statistics. For more information on the work of these agencies and opportunities to build on this work, see www.justice.gov/hatecrimes.

Identifying, investigating, and reporting hate crimes when they occur help ensure that the data about these crimes is complete and accurate and that appropriate resources are directed toward solving and preventing hate crimes. Through the Shepard/Byrd Hate Crimes Program, law enforcement and prosecutors' offices can lead collaborative approaches with community partners that prevent and respond to these crimes. A comprehensive report from 2020 entitled "Improving the Identification, Investigation, and Reporting of Hate Crimes: A Summary Report of the Law Enforcement Roundtable (August 2020)" sets forth key recommendations and action steps to combat hate crimes. It can be found at: <https://cops.usdoj.gov/RIC/ric.php?page=detail&id=COPS-W0895>.

To assist law enforcement and prosecutors in pursuing these cases, BJA selected a team of training and technical assistance (TTA) providers to assist grantees and the field at large. BJA's TTA strategy involves individualized, efficient, and consistent support to help grantees

accomplish their goals by the end of the project period. BJA and the TTA partners will assess their needs and develop training, targeted technical assistance, and tools for the field. This will include ongoing coaching and dialogue, as well as support peer-to-peer dialogue and training, knowledge diffusion products, grantee learning communities, dissemination of best practices and lessons learned, and a listserv.

Category One: State and Regional Applications

State, local, or tribal law enforcement or prosecution agencies may apply for funding on behalf of more than one agency to support a state or regional approach to hate crimes. Under this category, one lead agency will submit a single application for funding and will support a minimum of 2 and a maximum of 10 agencies and their partners. Awards made under Category One will range from \$800,000 to \$4,000,000 and may include subawardee agencies.

Note: Primary and subawards may not exceed an annual budget of \$100,000 per year per jurisdiction served. Subawardee agencies may not have fully concurrent geographic jurisdiction to other subawardee agencies.

Category Two: Single Agency Applications

A single state, local, or tribal law enforcement or prosecution agency may apply for funding to support hate crimes prevention, investigation, and prosecution efforts to address hate crimes.

For more information, see [Matthew Shepard and James Byrd, Jr. Hate Crimes Program, Overview, Bureau of Justice Assistance \(ojp.gov\)](#).

Goals, Objectives, and Deliverables

Goals

To comprehensively address and prevent hate crimes through increased public awareness and reporting of hate crimes and to enhance law enforcement and prosecution strategies to prevent and respond to hate crimes, thereby bringing justice for hate crime victims and other stakeholders.

Objectives

Build strong collaboration between law enforcement and prosecution and community-based organizations—including schools, colleges, and universities—to conduct outreach to and education of persons and groups at risk for hate crimes.

Establish state and regionwide coordinated efforts to prevent, identify, investigate, and heal from hate crimes.

Build comprehensive approaches that expand and enhance strategies—including tools, policies,

and procedures—to increase the reporting, identification, and charging of hate crimes, including victim reporting.

Enhance the capacity of law enforcement and prosecutors to prevent and address hate crimes through education, training, and tools for the field to investigate and prosecute hate crime cases.

Enhance collaboration between federal, state, local, and tribal law enforcement and prosecution agencies in their investigation and prosecution of hate crimes. Prepare the partners to be able to fully understand and address hate crimes through leadership and assessment of their organizational cultures.

Increase trust and confidence in state, local, and tribal justice partners to be able to identify, investigate, and prosecute hate crimes.

Deliverables

An action plan during the first 6 months to build a strong and focused strategy.

Applicants in Category One are expected to produce formal memoranda of understanding (MOUs) from all funded partners within the first 6 months of the program.

The action plan must be submitted and approved by BJA prior to implementation. BJA, the training and technical assistance providers, and the grantee will use this action plan to guide and track progress toward the project's objectives.

Successful implementation of the action plan, resulting in the prosecution and resolution of cases, working collaboratively with BJA staff and the TTA partners.

Enhanced partnerships with federal, state, tribal, or local organizations.

Documentation of activities and lessons learned during the project period, including a final report. This information will be publicly shared to assist peer agencies.

The Goals, Objectives, and Deliverables are directly related to the performance measures that show the completed work's results, as discussed in the "Application and Submission Information" section.

Evidence-Based Programs or Practices

OJP strongly encourages the use of data and evidence in policymaking and program development for criminal justice, juvenile justice, and crime victim services. For additional information and resources on evidence-based programs or practices, see the [OJP Grant Application Resource Guide](#).

Information Regarding Potential Evaluation of Programs and Activities

OJP may conduct or support an evaluation of the projects and activities funded under this solicitation. For additional information and applicable documentation to be included in the application, see the [OJP Grant Application Resource Guide](#) section entitled "Information Regarding Potential Evaluation of Programs and Activities."

Priority Areas

The Department of Justice is committed to advancing work that promotes civil rights and racial equity, increases access to justice, supports crime victims and individuals impacted by the justice system, strengthens community safety and protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

1. Priority Consideration Supporting Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*

In support of this Executive Order, OJP will provide priority consideration when making award decisions to the following:

Applicants that demonstrate that their capabilities and competencies for implementing their proposed project(s) are enhanced because they (or at least one proposed subrecipient that will receive **at least 40%** of the requested award funding, as demonstrated in the Budget Web-Based Form) identify as a *culturally specific organization*.

To receive this additional priority consideration, applicants must describe how being a culturally specific organization (or funding the culturally specific subrecipient organization(s)) will enhance their ability to implement the proposed project(s) and should also specify which populations are intended or expected to be served or to have their needs addressed under the proposed project(s).

Culturally specific organizations are defined for the purposes of this solicitation as private nonprofit or tribal organizations whose primary purpose as a whole is to provide culturally specific services to racial and ethnic groups, including, among others, Black people, Hispanic and Latino people, Native American and other Indigenous peoples of North America (including Alaska Native, Eskimo, and Aleut), Asian Americans, Native Hawaiians, and/or Pacific Islanders.

2. BJA will offer priority consideration to programs that propose funded partnerships with community-based organizations.

Note: Addressing these priority areas is one of many factors that OJP considers in making funding decisions. Receiving priority consideration for one or more priority areas does not guarantee an award.

Federal Award Information

Solicitation Categories

Competition ID	Category *	Number of Awards	Dollar Amount for Award	Performance Start Date	Performance Duration (Months)
C-BJA-2023-00053-PROD	Category 1- State or Regional Applications	3	\$4,000,000	10/1/23 12:00 AM	48
C-BJA-2023-00054-PROD	Category 2- Single Agency Applications	10	\$400,000	10/1/23 12:00 AM	48

Awards, Amounts and Durations

Anticipated Number of Awards

13

Anticipated Maximum Dollar Amount of Awards

\$4,000,000

Period of Performance Start Date

10/1/23

Period of Performance Duration (Months)

48

Anticipated Total Amount to be Awarded Under Solicitation

\$16,000,000

Continuation Funding Intent

BJA may, in certain cases, provide additional funding in future years to awards made under this solicitation through continuation awards. OJP will consider, among other factors, OJP's strategic priorities, a recipient's overall management of the award, and the award-funded work's progress, when making continuation award decisions.

Availability of Funds

This solicitation, and awards under this solicitation, are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by the agency or by law. In addition, nothing in this solicitation is intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Type of Award

BJA expects to make awards under this solicitation as grants. See the “Administrative, National Policy, and Other Legal Requirements” section of the [OJP Grant Application Resource Guide](#) for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. See the [OJP Grant Application Resource Guide](#) for additional information.

Budget Information

Applicants should outline their expenses on an annual basis consistent with the budget worksheet. The funding requested must not exceed \$100,000 per year per jurisdiction served for a total of no more than \$4,000,000 for Category One or \$400,000 for Category Two per agency for a 48-month project period.

Allowable uses of funding include resources for outreach, education, reporting and identifying, and investigation and prosecution of hate crimes.

In addition to the unallowable costs identified in the [DOJ Grants Financial Guide](#), award funds may not be used for the following:

- Prizes, rewards, entertainment, trinkets, or any other monetary incentives
- Client stipends
- Gift cards
- Purchase vehicles
- Food and beverages

Applicants should budget for travel for at least two team members to attend an in-person, 2-day grantee meeting as part of their projects, and assume that the trip will be in a location that requires air travel costing at least \$500 per person. For estimates of costs for hotel and lodging, the trip should include General Services Administration (GSA) rates in Washington, D.C., which can be accessed at [Per Diem Rates | GSA](#).

For Category One Applications:

Awards under Category One will range from \$800,000 to \$4,000,000 based on the number of jurisdictions served. If awarded funds, the applicant may retain up to 10 percent of the total proposed budget (not annually) for administrative purposes and to support the mandatory deliverables of the project’s activities across the sites.

Cost Sharing or Matching Requirement

This solicitation does not require a match.

Pre-agreement Costs (also known as Pre-award Costs)

See the [OJP Grant Application Resource Guide](#) for information on pre-agreement costs (also known as pre-award costs).

Limitation on Use of Award Funds for Employee Compensation: Waiver

See the [OJP Grant Application Resource Guide](#) for information on the Limitation on Use of Award Funds for Employee Compensation; Waiver.

Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs

See the [OJP Grant Application Resource Guide](#) for information on Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs.

Costs Associated with Language Assistance (if applicable)

See the [OJP Grant Application Resource Guide](#) for information on Costs Associated with Language Assistance.

Unmanned Aircraft Systems

The use of BJA grant funds for unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV) and/or any accompanying accessories to support UAS or UAV devices/systems, is unallowable.

Eligibility Information

Applications for Category One may include subrecipients. Applications under Category One must serve a minimum of two entities or unique jurisdictions served. Applications under Category One are encouraged to include participation from multiple unique jurisdictions. Each subrecipient or jurisdiction served is eligible for a maximum of \$100,000 per year. Awards under Category One will range from \$800,000 to \$4,000,000 based on the number of jurisdictions served. If awarded funds, the applicant may retain up to 10 percent of the total proposed budget (not annually) for administrative purposes and to support the mandatory deliverables of the project's activities across the sites.

Applicants can partner with other agencies and nonprofit organizations with expertise to support outreach and education efforts, as well as the investigation and prosecution of hate crimes.

For eligibility information, see the solicitation cover page.

For information on cost sharing or match requirements, see the "Federal Award Information" section.

For the purposes of this solicitation, “state” means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Notice regarding law enforcement agencies: State, local, and university or college law enforcement agencies must be certified by an approved independent credentialing body or have started the certification process to be eligible for FY 2023 DOJ discretionary grant funding. To become certified, the law enforcement agency must meet two mandatory conditions: (1) the agency’s use-of-force policies adhere to all applicable federal, state, and local laws, and (2) the agency’s use-of-force policies prohibit chokeholds except in situations where use of deadly force is allowed by law. The certification requirement also applies to law enforcement agencies receiving DOJ discretionary grant funding through a subaward. For detailed information on this certification requirement, please visit <https://cops.usdoj.gov/SafePolicingEO> to access the Standards for Certification on Safe Policing for Safe Communities, the Implementation Fact Sheet, and the List of Designated Independent Credentialing Bodies.

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

Application and Submission Information

Content of Application Submission

The following application elements **must** be included in the application to meet the basic minimum requirements to advance to peer review and receive consideration for funding:

- Proposal Abstract
- Proposal Narrative
- Budget Web-Based Form (The web-based form includes the budget details and the budget narrative.)

If OJP determines that an application does not include these elements, it will neither proceed to peer review, nor receive further consideration.

Information to Complete the Application for Federal Assistance (SF-424) in Grants.gov

The SF-424 must be submitted in Grants.gov. It is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the [OJP Grant Application Resource Guide](#) for additional information on completing the SF-424.

In Section 8F of the SF-424, please include the name and contact information of the individual **who will complete the application in JustGrants**. JustGrants will use this information (*email address*) to assign the application to this user in JustGrants.

Intergovernmental Review: This solicitation (“funding opportunity”) **is not** subject to [Executive Order \(E.O.\) 12372](#). In completing the SF-424, an applicant is to answer question 19 by selecting “Program is not covered by E.O. 12372.”

Standard Applicant Information (JustGrants 424 and General Agency Information)

The “Standard Applicant Information” section of the JustGrants application is pre-populated with the SF-424 data submitted in Grants.gov. The applicant will need to review the Standard Applicant Information in JustGrants and make edits as needed. Within this section, the applicant will need to add ZIP codes for areas affected by the project; confirm their Authorized Representative; and verify and confirm the organization’s unique entity identifier, legal name, and address.

Proposal Abstract

A Proposal Abstract (no more than 400 words) summarizing the proposed project — including its purpose, primary activities, expected outcomes, the service area, intended beneficiaries, and subrecipients (if known) — must be completed in the JustGrants web-based form. This abstract should be in paragraph form without bullets or tables, written in the third person, and exclude personally identifiable information. Abstracts will be made publicly available on the OJP and USASpending.gov websites if the project is awarded. See the [OJP Grant Application Resource Guide](#) for an example of a proposal abstract.

The proposal abstract for this solicitation should include the following:

- Name of applicant
- Area of focus for project (location, types of cases)
- Summary of project scope and activities
- List of key partners

If the applicant is seeking priority consideration, applicant **must** provide the following information:

- Which priority consideration(s) is being sought: 1, 2, or both.
- What page(s) in the program narrative provide documentation of the applicant’s plan to respond to the priority consideration(s).
- For applicants seeking priority consideration 1, who is the proposed subawardee to receive the funding and the amount of funds proposed.

Proposal Narrative

The Proposal Narrative should be submitted as an attachment in JustGrants. The attached document should be double-spaced, using a standard 12-point font; have no less than 1-inch margins; and should not exceed 15 numbered pages. If the Proposal Narrative fails to comply with these length restrictions, [Insert PO] may consider such noncompliance in peer review and in final award decision. Tables, charts, and graphs included in the program narrative can be created in a legible font smaller than 12-point, however, those items will count toward the page limit.

The Proposal Narrative must include the following sections:

a. Description of the Issue

Describe the proposed project’s jurisdictional boundaries and the history, nature, and extent of

all hate crimes in this target area, including overall demographic data on the residents. Provide summary information and data on hate crime incidents and trends and any groups particularly impacted by them. Describe the challenges in the reporting, identification, and charging of potential cases, and summarize current efforts to identify, investigate, and prosecute these cases.

Describe the challenges, including lack of resources, that the applicant faces in planning and implementing strategies to address these hate crimes. Describe the nature and extent of community members underreporting hate crimes to law enforcement. Describe the existing laws in the jurisdiction to pursue these cases. Describe any coordination with federal efforts to address these cases.

Discuss why the applicant cannot address these issues using existing resources and why these federal funds are needed.

Describe the nature and extent of any increase in the type or types of hate crime that the applicant's jurisdiction faces, including trends in these increases over the last 3 to 5 years which will be addressed by the proposed solution. Identify the period of time during which the relevant crime type increased. Provide data to support this claim. Applicants must provide evidence substantiating the claimed increase such as statistics, research findings, or other objective evidence, as appropriate.

b. Project Design and Implementation

Describe how the applicant will respond to the issue defined in the application, including the increase in the type or types of hate crime. Describe the strategies to conduct outreach and educate the public and groups or persons at risk for hate crimes. Describe the community-based partnerships to be created or enhanced with groups that will support this work and overcome barriers to reporting and identifying hate crimes and preventing future hate crimes, including schools, colleges, and universities.

Describe the strategies to enhance reporting of hate crimes, including education and other efforts to assist staff and partners to identify hate crimes and investigative strategies to ensure that hate crimes are identified and charged as hate crimes.

Describe the strategies to effectively investigate and prosecute hate crimes, including how the applicant will work to enhance the cooperation of witnesses and enhance success in addressing the challenges of pursuing these investigations and prosecutions. Describe the collaboration with federal, state, local, and tribal partners to implement the project design.

Attach a timeline that outlines when activities or program milestones are to be accomplished and supports the project design outlined in this section.

The funds requested in the budget must be clearly connected to and support the project design and be reasonable in cost. Annual expenses cannot exceed \$100,000 per year per jurisdiction for a total of no more than \$4,000,000 for Category One or \$400,000 for Category Two for a 48-month project period. Describe how funding to support investigation and prosecution activities are extraordinary expenses.

Note: Applicants are encouraged to work with their federal partners to coordinate the review of case files and evidence related to potential cases and pursue these cases consistent with the Shepard/Byrd Hate Crimes Act. This should include the relevant field office of the FBI and the civil rights coordinator in their USAO districts. To effectively approach this work, applicants should also develop strategies in coordination with community-based partners and state, local, and tribal agencies to form collaborative approaches or task forces that can help to address the concerns and needs of all affected parties. This includes strategies to increase trust and reporting of incidents to law enforcement and expanding outreach to and education of the public and those persons and groups disproportionately impacted by these crimes. BJA also encourages partnerships with schools, colleges, and universities in an applicant's jurisdiction as part of these strategies. OJP has several other programs that can support jurisdictions seeking to address hate crime, including funding to prevent and address school-based violence, training on restorative justice approaches, and funding to support victims of hate crimes.

c. Capabilities and Competencies

Describe the applicant's management structure and outline its ability to conduct the individual activities based on its and its staff's expertise. Identify all key partners to this project and describe their role in implementing the proposed project design. The management and organizational structure should match the staff and partners needed to accomplish the tasks outlined in the solicitation, and they should be consistent with the budget detail worksheet and the budget narrative.

Describe how the applicant and its partners will implement the proposed design, including gathering and analyzing information, developing a plan, and implementing efforts by staff and partners to conduct outreach, train and educate stakeholders and staff, and identify, track, investigate, and prosecute these cases.

Discuss any previous collaboration that occurred that will help to achieve the objectives. Explain existing partnership agreements. Describe how effective communication and coordination among the team members will be implemented throughout the program period.

Discuss the expertise of the applicant and its partners to effectively implement the proposed program design, including outreach, education, reporting, investigation, and prosecution of these incidents.

Document the plan to ensure the applicant has a set of diverse staff, partners, and/or subject matter experts who reflect a mix of experiences and perspectives to effectively reach the communities and practitioners that they will serve.

The design should be supported by the required project timeline, position descriptions, and letters of support/MOUs.

If the applicant is seeking priority consideration 1, it should describe within this section how being a culturally specific organization (or funding a culturally specific subrecipient organization at a minimum of 40 percent of the project budget) will enhance its ability to implement the proposed project(s) and should also specify which culturally specific populations are intended or expected to be served or have their needs addressed under the proposed project(s).

d. Plan for Collecting the Data Required for this Solicitation's Performance Measures

For each objective, identify the criteria that will determine how and if it has been successfully met. Identify specific measurable outcome(s) and the data sources that will be used to determine whether or not the outcome was successful.

All applicants must indicate their willingness and ability to collect and report performance and outcome data through BJA's reporting tools (no personally identifiable information will be collected). Applicants are expected to report on behalf of any subawardees.

Describe the process for measuring project performance. Identify who will collect the data, who is responsible for performance measurement, and how the information will be used to guide and assess the project.

Note: An applicant is **not** required to submit performance data with the application. Rather, performance measure information is included as a notification that award recipients will be required to submit performance data as part of each award's reporting requirements. Some measures are presented as examples, while others are the exact measures that every recipient will be expected to address.

OJP will require each award recipient to submit regular performance data that show the completed work's results. The performance data directly relate to the goals, objectives, and deliverables identified in the "Goals, Objectives, and Deliverables" discussion. Applicants can visit OJP's performance measurement page at www.ojp.gov/performance for an overview of performance measurement activities at OJP.

A list of performance measure questions for this program can be found [here](#).

BJA will require award recipients to submit performance measure data and performance reports in JustGrants. BJA will provide further guidance on the post-award submission process if the applicant is selected for award.

Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations must follow the guidance in the "Note on Project Evaluations" section in the [OJP Grant Application Resource Guide](#).

Goal, Objective and Deliverables

The applicant will submit the project's goals, objectives, deliverables and timeline in the JustGrants web-based form. The applicant will also enter the projected fiscal year and quarter that each objective and deliverable will be completed. Please refer to the [Application Submission Job Aid](#) for step-by-step directions.

Goals. The applicant should describe the project's intent to change, reduce, or eliminate the problem noted in the previous section and outline the project's goals.

Program Objectives. The applicant should explain how the program will accomplish its goals. Objectives are specific, quantifiable statements of the project's desired results. They should be

measurable and clearly linked to the goal.

Deliverables. Project deliverables refer to outputs—tangible or intangible—that are submitted within the scope of a project.

Budget and Associated Documentation

Budget Worksheet and Budget Narrative (Web-based Form)

The applicant will complete the JustGrants web-based budget form. For additional information, see the OJP Grant Application Resource Guide and the [Complete the Application in JustGrants – Budget training](#).

If the applicant is seeking priority consideration under Priority 1 based on the identification of at least one proposed subrecipient as a culturally specific organization, the proposed funding for the subrecipient in the web-based budget form **must reflect a minimum of 40 percent of award funding**. The budget narrative must also describe how the activities that will be funded with the (minimum) 40 percent of award funding provided to the subrecipient **specifically relate to the priority consideration requested** and described in the Capabilities and Competencies section of the application.

Pre-agreement Costs (also known as Pre-award Costs)

See the section on Costs Requiring Prior Approval in the [DOJ Grants Financial Guide Post Award Requirements](#) for more information.

Indirect Cost Rate Agreement (if applicable)

If applicable, the applicant will upload their indirect cost rate agreement as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for more information on indirect costs.

Consultant Rate

See the [DOJ Grants Financial Guide](#) for information on the consultant rates which require prior approval from OJP.

Limitation on Employee Compensation; Waiver

See the [OJP Grant Application Resource Guide](#) for information on the Limitation on Use of Award Funds for Employee Compensation for Awards over \$250,000; Waiver.

Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)

The applicant will download the questionnaire, complete it, and upload it as an attachment in

JustGrants. See the [OJP Grant Application Resource Guide](#) for the link to the questionnaire and additional information.

Disclosure of Process Related to Executive Compensation

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating its “Disclosure of Process Related to Executive Compensation” provisions. Applicants to this solicitation are not required to provide this disclosure.

Memoranda of Understanding (MOUs) and Other Supportive Documents

Applicants should include for each named partner, a signed Memorandum of Understanding (MOU), Letter of Intent, or subcontract that confirms the partner’s agreement to support the project through commitments of staff time, space, services, or other project needs. For applications submitted from two or more entities, applicants are encouraged to develop and submit signed MOUs or signed Letters of Intent that provide a detailed description of how the agencies will work together to meet project requirements.

Each MOU or Letter of Intent should include the following: (1) names of the organizations involved in the agreement; (2) scope of the direct service(s) and other work to be performed under the agreement; (3) duration of the agreement. Subcontracts, MOUs, or Letters of Intent should be submitted as one separate attachment to the application.

Additional Application Components

The applicant will attach the additional requested documentation in JustGrants.

Curriculum Vitae or Resumes

Provide resumes of key personnel.

Tribal Authorizing Resolution

An application in response to this solicitation may require inclusion of tribal authorizing documentation as an attachment. If applicable, the applicant will upload the tribal authorizing documentation as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for information on tribal authorizing resolutions.

Timeline Form

Attach a project timeline with each project objective, activity, expected completion date, and responsible person or organization.

Letters of Support

Attach any relevant letters of support and/or MOUs from key partners to the project to reflect their support, roles, and agreements about collaboration.

Research and Evaluation Independence and Integrity Statement

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant will upload documentation of its research and evaluation independence and integrity as an attachment in JustGrants. For additional information, see the [OJP Grant Application Resource Guide](#).

Disclosures and Assurances

The applicant will address the following disclosures and assurances.

Disclosure of Lobbying Activities

Complete and submit the SF-LLL in Grants.gov. Once the applicant submits in Grants.gov, this information will pre-pend into JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

DOJ Certified Standard Assurances

Review and accept the DOJ Certified Standard Assurances in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

Applicant Disclosure of Duplication in Cost Items

Complete the JustGrants web-based Applicant Disclosure of Duplication in Cost Items form. See the [OJP Grant Application Resource Guide](#) for additional information.

DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Law Enforcement and Community Policing

Review and accept the DOJ Certified Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Law Enforcement and Community Policing. See the [OJP Grant Application Resource Guide](#) for additional information.

Applicant Disclosure and Justification - DOJ High Risk Grantees

If applicable, submit the DOJ High Risk Disclosure and Justification as an attachment in JustGrants. A DOJ High Risk Grantee is an award recipient that has received a DOJ High Risk designation based on a documented history of unsatisfactory performance; financial instability; management system or other internal control deficiencies; noncompliance with award terms and conditions on prior awards or is otherwise not responsible. See the [OJP Grant Application Resource Guide](#) for additional information.

How to Apply

Registration: Before submitting an application, all applicants must register with the System for Award Management (SAM). You must renew and validate your registration every 12 months. If you do not renew your SAM registration, it will expire. An expired registration can delay or

prevent application submission in Grants.gov and JustGrants. Registration and renewal can take up to 10 business days to complete.

Submission: Applications must be submitted to DOJ electronically through a two-step process via Grants.gov and JustGrants.

Step 1: After registering with SAM, the applicant must submit the **SF-424** and **SF-LLL** in Grants.gov at <https://www.grants.gov/web/grants/register.html> by the Grants.gov deadline. **Submit the SF-424 and SF-LLL as early as possible, but no later than 48 hours before the Grants.gov deadline.** If an applicant fails to submit in Grants.gov, they will be unable to apply in JustGrants.

Step 2: The applicant must then submit the **full application**, including attachments, in JustGrants at [JustGrants.usdoj.gov](https://www.justgrants.usdoj.gov) by the JustGrants deadline.

Within 24 hours after receipt of confirmation emails from Grants.gov, the individual in Section 8F of the SF-424 will receive an email from DIAMD-NoReply@usdoj.gov with instructions on how to create a JustGrants account. Register the Entity Administrator and the Application Submitter with JustGrants as early as possible but no later than 48-72 hours before the JustGrants deadline. Once registered in JustGrants, the Application Submitter will receive an emailed link to complete the rest of the application in JustGrants. The Entity Administrator also will need to log into JustGrants to review and invite the applicant's Authorized Representative(s) before an application can be submitted.

Submit the complete application package in JustGrants at least 24 – 48 hours prior to the JustGrants deadline. Some of the application components will be entered directly into JustGrants, and others will require uploading attached documents. Therefore, applicants will need to allow ample time before the JustGrants deadline to prepare each component. Applicants may save their progress in the system and revise the application as needed prior to hitting the Submit button at the end of the application in JustGrants.

For additional information, see the “How to Apply” section in the [OJP Grant Application Resource Guide](#) and the [DOJ Application Submission Checklist](#).

Submission Dates and Time

The **SF-424 and the SF-LLL** must be submitted in Grants.gov by May 25, 2023 8:59 PM ET

The **full application** must be submitted in JustGrants by May 30, 2023 8:59 PM ET

OJP urges applicants to submit their Grants.gov and JustGrants submissions prior to the due dates with sufficient time to correct any errors and resubmit by the submission deadlines if a rejection notification is received. To be considered timely, the **full application** must be submitted in JustGrants by the JustGrants application deadline. Failure to begin the SAM.gov, Grants.gov, or JustGrants registration process in sufficient time (i.e., waiting until the date identified in this solicitation) is not an acceptable reason for late submission.

Experiencing Unforeseen Technical Issues Preventing Submission of an Application

OJP will only consider requests to submit an application after the deadline when the applicant

can document that a technical issue with a government system prevented application submission.

If an applicant misses a deadline due to unforeseen technical issues with SAM.gov, Grants.gov, or JustGrants, the applicant may request a waiver to submit an application after the deadline. However, the waiver request will not be considered unless it includes a tracking number generated when the applicant contacts the applicable service desks to report technical difficulties. Tracking numbers are generated automatically when an applicant emails the applicable service desks; and for this reason applicants are encouraged to email the appropriate service desk, even if they also intend to call the service desk for phone support. Experiencing wait times for phone support does not relieve the applicant of the responsibility of getting a tracking number.

An applicant experiencing technical difficulties must contact the associated service desk indicated below to report the technical issue and receive a tracking number:

- SAM.gov - contact the [SAM Help Desk \(Federal Service Desk\)](#), Monday – Friday from 8 a.m. to 8 p.m. ET at 866-606-8220.
- Grants.gov - contact the [Grants.gov Customer Support Hotline](#), 24 hours a day, 7 days a week, except on federal holidays, at 800-518-4726, 606-545-5035, or support@grants.gov.
- JustGrants - contact the JustGrants Service Desk at JustGrants.Support@usdoj.gov or 833-872-5175, Monday – Friday from 7 a.m. to 9 p.m. ET and Saturday, Sunday, and Federal holidays from 9 a.m. to 5 p.m. ET.

If an applicant has technical issues with SAM.gov or Grants.gov, the applicant must contact the OJP Response Center at grants@ncjrs.gov within **24 hours of the Grants.gov deadline** to request approval to submit after the deadline.

If an applicant has technical issues with JustGrants that prevent application submission by the deadline, the applicant must contact the OJP Response Center at grants@ncjrs.gov within 24 hours of the JustGrants deadline to request approval to submit after the deadline.

Waiver requests sent to the OJP Response Center must -

- describe the technical difficulties experienced,
- include a timeline of the applicant's submission efforts (e.g., date and time the error occurred, date and time of actions taken to resolve the issue and resubmit; and date and time support representatives responded),
- include an attachment of the complete grant application and all the required documentation and materials,
- include the applicant's Unique Entity Identifier (UEI), and
- include any SAM.gov, Grants.gov, and JustGrants Service Desk tracking numbers documenting the technical issue.

OJP will review each waiver request and the required supporting documentation and notify the applicant whether the request for late submission has been approved or denied. An applicant that does not provide documentation of a technical issue or that does not submit a

waiver request within the required time period will be denied.

For more details on the waiver process, OJP encourages applicants to review the “Experiencing Unforeseen Technical Issues” section in the [OJP Grant Application Resource Guide](#).

Application Review Information

Review Criteria

Merit Review Criteria

Applications that meet the basic minimum requirements will be evaluated by peer reviewers on how the proposed project/program addresses the following criteria:

1. Statement of the Problem/Description of the Issue (25%) - evaluate the applicant’s understanding of the program/issue to be addressed.
2. Project Design and Implementation (30%)- evaluate the adequacy of the proposal, including the goals, objectives, timelines, milestones, and deliverables.
3. Capabilities and Competencies (30%) - evaluate the applicant's administrative and technical capacity to successfully accomplish the goals and objectives.
4. Plan for Collecting the Data Required for this Solicitation’s Performance Measures (5%) - evaluate the applicant’s understanding of the performance data reporting requirements and the plan for collecting the required data.
5. Budget (10%) - evaluate for completeness, cost effectiveness, and allowability (e.g., reasonable, allocable, and necessary for project activities).

Other Review Criteria/Factors

Other important considerations for BJA include geographic diversity, strategic priorities (specifically including, but not limited to, those priority areas already mentioned, if applicable), available funding, past performance, and the extent to which the Budget Web-Based form accurately explains project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

Review Process

Applications submitted under this solicitation that meet the basic minimum requirements will be evaluated for technical merit by a peer review panel(s) in accordance with OJP peer review policy and procedures using the review criteria listed above.

OJP screens applications to ensure they meet the basic minimum requirements prior to conducting the peer review. Although specific requirements may vary, the following are common requirements applicable to all OJP solicitations:

- The application must be submitted by an eligible type of applicant.
- The application must request funding within programmatic funding constraints (if applicable).
- The application must be responsive to the scope of the solicitation.
- The application must include all items necessary to meet the basic minimum

requirements.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by the applicant entity. Among other things to help assess whether an applicant with one or more prior federal awards has a satisfactory record of performance, integrity, and business ethics, OJP checks whether the applicant entity is listed in SAM as excluded from receiving a federal award.

In addition, if OJP anticipates that an award will exceed \$250,000 in federal funds, OJP also must review and consider any information about the applicant entity that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

Important Note on FAPIIS: An applicant may review and comment on any information about its organization that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by the applicant entity.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may consider not only peer review ratings and BJA recommendations, but also other factors as indicated in this section.

Federal Award Administration Information

Federal Award Notices

Generally, award notifications are made by the end of the current Federal fiscal year, September 30th. See the [OJP Grant Application Resource Guide](#) for information on award notifications and instructions.

Administrative, National Policy, and Other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions and all applicable requirements of federal statutes and regulations, including the applicable requirements referred to in the assurances and certifications executed in connection with award acceptance. For additional information on these legal requirements, see the “Administrative, National Policy, and Other Legal Requirements” section in the [OJP Grant Application Resource Guide](#).

Information Technology Security Clauses

An application in response to this solicitation may require inclusion of information related to information technology security. See the [OJP Grant Application Resource Guide](#) for more information.

General Information about Post-Federal Award Reporting Requirements

In addition to the deliverables described in the “Program Description” section, all award recipients under this solicitation will be required to submit certain reports and data.

Required reports. Award recipients typically must submit quarterly financial reports, semi-annual performance reports, final financial and performance reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

See the [OJP Grant Application Resource Guide](#) for additional information on specific post-award reporting requirements, including performance measure data.

Federal Awarding Agency Contact(s)

For OJP contact(s), contact information for Grants.gov, and contact information for JustGrants, see the solicitation cover page.

Other Information

Freedom of Information and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a)

See the [OJP Grant Application Resource Guide](#) for information on the Freedom of Information and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a).

Provide Feedback to OJP

See the [OJP Grant Application Resource Guide](#) for information on how to provide feedback to OJP.

Performance Measures

Award recipients will be required to submit performance measurement data and performance reports in JustGrants. Further guidance on the post-award submission process will be provided, if selected for award. Example of the performance measures questionnaire can be found at: [Matthew Shepard and James Byrd Jr. Hate Crimes Program \(ojp.gov\)](#).

Application Checklist

BJA FY 2023 Matthew Shepard and James Byrd, Jr. Hate Crimes Program

This application checklist has been created as an aid in developing an application. For more information, reference [the OJP Application Submission Steps in the OJP Grant Application Resource Guide](#) and the [DOJ Application Submission Checklist](#).

Pre-Application

Before Registering in Grants.gov:

- Acquire or renew your Entity's [System Award Management \(SAM\) Registration Information](#) (see [OJP Grant Application Resource Guide](#))

Register in Grants.gov

- Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password (see [OJP Grant Application Resource Guide](#))
- Acquire AOR confirmation from the E-Business Point of Contact (E-Biz POC) (see [OJP Grant Application Resource Guide](#))

Find the Funding Opportunity

- Search for the funding opportunity in Grants.gov using the opportunity number, assistance listing number, or keyword(s)
- Select the correct Competition ID
- Access the funding opportunity and application package (see Step 7 in the [OJP Grant Application Resource Guide](#))
- Sign up for Grants.gov email [notifications](#) (optional) (see [OJP Grant Application Resource Guide](#))
- Read [Important Notice: Applying for Grants in Grants.gov](#)
- Read OJP policy and guidance on conference approval, planning, and reporting available at <https://www.ojp.gov/funding/financialguidededoj/iii-postaward-requirements#6g3y8> (see [OJP Grant Application Resource Guide](#))

Review the Overview of Post-Award Legal Requirements

- Review the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2023 Awards](#)" in the [OJP Funding Resource Center](#).

Review the Scope Requirement

- The federal amount requested is within the allowable limit(s) of \$4,000,000 for Category One or \$400,000 for Category Two

Review Eligibility Requirement:

- Review the Eligibility section on the cover page and Eligibility Information section in the solicitation.

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### **Application Step 1**

Submit the **SF-424** and **SF-LLL** in Grants.gov

- In Section 8F of the SF-424, include the name and contact information of the individual **who will complete the application in JustGrants and the SF-LLL in Grants.gov**

*Within 48 hours after the SF-424 and SF-LLL submission in Grants.gov, receive four (4) Grants.gov email notifications:*

- a submission receipt
- a validation receipt
- a grantor agency retrieval receipt
- an agency tracking number assignment

*If no Grants.gov receipt and validation email is received, or if error notifications are received:*

- Contact Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, [Grants.gov customer support](#), or [support@grants.gov](mailto:support@grants.gov) regarding technical difficulties (see [OJP Grant Application Resource Guide](#))

Within 24 hours after receipt of confirmation emails from Grants.gov, the individual in Section 8F of the SF-424 will receive an email from JustGrants with login instructions.

- Proceed to Application Step 2 and complete application in JustGrants

### **Application Step 2**

Submit the following information in JustGrants:

Application Components

- Standard Applicant information (SF-424 information from Grants.gov)
- **Proposal Abstract\***
- **Proposal Narrative\***

Budget and Associated Documentation

- **Budget Web-Based form\***
- Indirect Cost Rate Agreement (if applicable) (see [OJP Grant Application Resource Guide](#))
- Financial Management and System of Internal Controls Questionnaire (see [OJP Grant Application Resource Guide](#))

Additional Application Components

- Tribal Authorizing Resolution (if applicable) (see [OJP Grant Application Resource Guide](#))
- Research and Evaluation Independence and Integrity (see [OJP Grant Application Resource Guide](#))
- Request and Justification for Employee Compensation; Waiver (if applicable) (see [OJP Grant Application Resource Guide](#))
- Timeline
- Letters of Support or Memorandum of understanding (if applicable)
- Résumés of key personnel (if applicable)
- List of procurement contracts (if applicable)

#### Disclosures and Assurances

- [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure of Duplication in Cost Items (see [OJP Grant Application Resource Guide](#))
- DOJ Certified Standard Assurances (see [OJP Grant Application Resource Guide](#))
- DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable) (see [OJP Grant Application Resource Guide](#))

***\*Note: Items designated with an asterisk must be submitted for an application to meet the basic minimum requirements review. If OJP determines that an application does not include the designated items, it will neither proceed to peer review, nor receive further consideration.***

#### Review, Certify and Submit Application in JustGrants

- Any validation errors will immediately display on screen after submission.
- Correct validation errors, if necessary, and then return to the “Certify and Submit” screen to submit the application. Access the [Application Submission Validation Errors Quick Reference Guide](#) for step-by-step instructions to resolve errors prior to submission.
- Once the application is submitted and validated, a confirmation message will appear at the top of the page. Users will also receive a notification in the “bell” alerts confirming submission.

*If no JustGrants application submission confirmation email or validation is received, or if error notification is received:*

- Contact the JustGrants Service Desk at 833-872-5175 or [JustGrants.Support@usdoj.gov](mailto:JustGrants.Support@usdoj.gov) regarding technical difficulties. See the [OJP Grant Application Resource Guide](#) for additional information.

## **Standard Solicitation Resources**

OJP Grant Application Resource Guide provides guidance to assist OJP grant applicants in preparing and submitting applications for OJP funding.

DOJ Grants Financial Guide serves as the primary reference manual to assist award recipients in fulfilling their fiduciary responsibility to safeguard grant funds and to ensure funds are used for the purposes for which they were awarded. It compiles a variety of laws, rules and regulations that affect the financial and administrative management of DOJ awards. This guide serves as a starting point for all award recipients and subrecipients of DOJ grants and cooperative agreements in ensuring the effective day-to-day management of awards.

JustGrants Resources Website is an entryway into information about JustGrants and the grants management system itself. Through this portal both award recipients and applicants can access training resource and user support options, find frequently asked questions and sign-up for the JustGrants Update e-newsletter.

JustGrants Application Submission Training Page offers helpful information and resources on the application process. This training page includes e-learning videos, reference guides, checklists and other resources to help applicants complete an application.

Virtual Q&A Sessions are advertised here and provide opportunities for users to receive topic-specific training, direct technical assistance and support on JustGrants system functionality.