

JAIBG 1998 Guidance Manual

Table of Contents

Section 1	Introduction	1
Section 2	Overview of the Juvenile Accountability Incentive Block Grants Program	3
2.1	Legislative Origin	3
2.2	Program Administration	3
2.3	Fiscal Year 1998 Appropriations	3
2.4	Program Purpose Areas	4
2.5	Eligibility Requirements	5
	-State Eligibility	5
	-Local Eligibility	6
	-Areas of Certification	7
2.6	Allocation of Funds	10
2.7	Uses of Program Funds	13
2.8	Utilization of Private Sector	13
Section 3	Application Process	15
3.1	Application Kit	15
3.2	Certifying Eligibility	15
3.3	Cash Match Requirement	16
3.4	Cash Match Waiver	17
3.5	Cash Match Computation	17
3.6	Allowable Sources of Match	17
3.7	State Single Point of Contact	18
3.8	Civil Rights Requirements	18
3.9	Immigration and Naturalization Service Requirements ...	19
3.10	Audit Requirements	19
3.11	Certification Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and the Drug-Free Workplace Requirement	19
3.12	Office of Justice Programs Financial Guide.....	20
Section 4	Award Process	21
4.1	Trust Fund Requirement	21
4.2	Juvenile Crime Enforcement Coalition	22
4.3	Additional Award Package Attachments	23

Section 5	Role of the Designated State Agency and Requirements of State Recipients and Local Subgrantees.....	25
5.1	The Designated State Agency.....	25
5.2	State-Level Award Process	25
5.3	Requirements To Be Fulfilled Prior to the Obligation of Program Funds	25
5.4	Program Reporting Requirement	26
5.5	Nonsupplanting Requirement	27
5.6	Suspension of Funding	27
Section 6	Definitions	29
6.1	State	29
6.2	Unit of Local Government	29
6.3	Juvenile	29
6.4	Law Enforcement Expenditures	29
6.5	Part 1 Violent Crimes	29
6.6	Serious Violent Crime	29
6.7	Designated State Agency	29
6.8	Primary Financial Burden	30
6.9	Nonsupplanting	30
6.10	Juvenile Crime Enforcement Coalition	30
6.11	Juvenile Detention Facility	30
6.12	Juvenile Correction Facility	30
6.13	Coordinated Enforcement Plan for Reducing Juvenile Crime.....	31

Appendices

- A. Title III of H.R. 3
- B. House Report 105-405, Provisions Relative to the JAIBG Program
- C. Overview of:
 - Office of Justice Programs (OJP)
 - Office of Juvenile Justice and Delinquency Prevention (OJJDP)
 - State Relations and Assistance Division (SRAD)
- D. Juvenile Accountability Incentive Block Grants Program
 - SRAD State Assignments
- E. State/Territory Allocations Chart

Section 1 *Introduction*

Public Law 105-119, November 26, 1997, Making Appropriations for the Departments of Commerce, Justice and State, the Judiciary, and Related Agencies for the Fiscal Year Ending September 30, 1998, and for other Purposes (Appropriations Act) appropriated \$250,000,000 for the Juvenile Accountability Incentive Block Grants (JAIBG) program described in Title III of H.R. 3, as passed by the House of Representatives on May 8, 1997. The Appropriations Act directs the Attorney General to establish guidelines, in consultation with Congress, to assist States (see Section 6.1, “Definitions”) in determining whether they may certify eligibility for the JAIBG program in fiscal year (FY) 1998. Eligibility is based on certification by the Governor (or other chief executive) that the State is actively considering, or will consider within one year from the date of certification, legislation, policies, or practices that, if enacted, would qualify such State for a grant under Section 1802 of H.R. 3.

In addition, the Conference Report on the Appropriations Act (H. Rept.105-405, November 13, 1997, appendix B) directs that the Attorney General’s guidelines include “accommodations, which provide for a reduction in the local distribution requirement of Section 1803 of H.R. 3, with respect to any State which bears the primary financial burden within the State for the administration of juvenile justice and which provide for local distribution consistent with H.R. 728 for the State of Louisiana.”¹

This Guidance Manual, which incorporates the Attorney General’s guidelines established in consultation with Congress, is intended to assist States in applying for, receiving, obligating, and expending, by the State and through subgrants, JAIBG funds. An accompanying regulation will establish the procedure for States and units of local government (see Section 6.2, “Definitions”) to provide notice to OJJDP of the proposed uses of funds. Responsibility for administering the block grant, on the federal level, has been delegated by the Attorney General, through the Assistant Attorney General for the Office of Justice Programs (OJP), to the Administrator of the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

The JAIBG Guidance Manual is designed to be the primary reference for State and local program managers on program-related matters. It provides an overview of the legislation that created the JAIBG program, and reviews the major requirements for program participation.

¹For the State of Louisiana, parish sheriffs will be considered a “unit of local government” under Section 1803(b)(1) of H.R. 3 for the purpose of funding for law enforcement activities under their jurisdiction. Parish sheriffs will be required to appoint a local juvenile crime enforcement coalition (JCEC) as required under the Appropriations Act. Parish sheriffs will be required to follow the recommendations made by their local coalitions in the allocation and expenditure of funds for activities under their jurisdiction in the parishes.

Section 2 *Overview of the Juvenile Accountability Incentive Block Grants Program*

2.1 Legislative Origin

The JAIBG program is based on Title III of H. R. 3, The Juvenile Accountability Block Grants Act of 1997, as passed by the House of Representatives on May 8, 1997 (see appendix A). The Appropriations Act (see appendix B) directs the Attorney General to establish guidelines, in consultation with Congress, to assist States in determining whether they may certify eligibility for JAIBG funds in FY 1998 .

2.2 Program Administration

Congress authorized the Attorney General to provide grants under the JAIBG program for use by the States and units of local government to promote greater accountability in the juvenile justice system. The Office of Juvenile Justice and Delinquency Prevention (OJJDP), one of five program bureaus in the Office of Justice Programs (OJP), has been delegated the authority to administer the JAIBG program.

The JAIBG program will be managed by the State Relations and Assistance Division (SRAD). One of OJJDP's seven organizational components, SRAD also manages the Formula Grants program under Part B of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, as amended; the State Challenge Activities program under Part E of the JJDP Act; and the Community Prevention Grants program, established under Title V of the JJDP Act. Working with the Juvenile Justice Specialist in each State's administering agency and the Supervisory Board/State Advisory Group, SRAD assists States and territories in the prevention and control of delinquency and the improvement of their juvenile justice systems. An overview of OJP, OJJDP, and SRAD is included in appendix C.

2.3 Fiscal Year 1998 Appropriations

The FY 1998 Appropriation for the JAIBG program is \$250 million. After deducting statutory set asides for program administration (\$5.25 million), research, evaluation, and demonstration (\$7.5 million), and training and technical assistance (\$5 million), the balance available for distribution to eligible States is \$232.25 million. For this purpose, the term "State" includes commonwealths, territories, and the District of Columbia (see Section 6.1, "Definitions"). Funds are available on a formula basis. This formula provides a minimum allocation of 0.5 percent of the available funds to each State, with the remaining funds allocated to each eligible State based

on relative share of the aggregate of all States' population of people under the age of 18 (see

appendix E for allocations to each State).

2.4 Program Purpose Areas

The purpose of the JAIBG Program is to provide States and units of local government with funds to develop programs to promote greater accountability in the juvenile justice system. Funds are available for the following eleven program purpose areas, as enumerated in H.R. 3. In addition, the Appropriations Act provides a twelfth area for which funds may be expended: the implementation of a State or local policy of controlled substance testing for appropriate categories of juveniles within the juvenile justice system.

Purpose Area 1

Building, expanding, renovating, or operating temporary or permanent juvenile correction or detention facilities, including training of correctional personnel (see Section 6.11, 6.12, “Definitions”);

Purpose Area 2

developing and administering accountability-based sanctions for juvenile offenders;

Purpose Area 3

hiring additional juvenile judges, probation officers, and court-appointed defenders, and funding pre-trial services for juveniles, to ensure the smooth and expeditious administration of the juvenile justice system;

Purpose Area 4

hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and backlogs reduced;

Purpose Area 5

providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively;

Purpose Area 6

providing funding for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders;

Purpose Area 7

providing funding to enable juvenile courts and juvenile probation offices to be more effective and efficient in holding juvenile offenders accountable and reducing

recidivism;

Purpose Area 8

the establishment of court-based juvenile justice programs that target young firearms offenders through the establishment of juvenile gun courts for the adjudication and prosecution of juvenile firearms offenders;

Purpose Area 9

the establishment of drug court programs for juveniles so as to provide continuing judicial supervision over juvenile offenders with substance abuse problems and to provide the integrated administration of other sanctions and services;

Purpose Area 10

establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice system, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts;

Purpose Area 11

establishing and maintaining accountability-based programs that work with juvenile offenders who are referred by law enforcement agencies, or which are designed, in cooperation with law enforcement officials, to protect students and school personnel from drug, gang, and youth violence; and,

Purpose Area 12

implementing a policy of controlled substance testing for appropriate categories of juveniles within the juvenile justice system.

2.5 Eligibility Requirements

State Eligibility

In order to be eligible for FY 1998 JAIBG funds, the Chief Executive Officer of the State must certify to the OJJDP Administrator either active or prospective consideration of the requirements outlined below. If a State already complies with one (or more) of these requirements, certification of such compliance would be sufficient with regard to that requirement(s). Consideration of only the remaining requirement(s) would be necessary.

“Active consideration,” for purposes of this program, means the deliberation or debate of policies that would result in a State’s compliance with the requirements of H.R. 3, as referenced in the Appropriations Act. Such consideration may take place in any branch of State government, so

long as the implementation of such policies or practices, if adopted by that branch, would achieve compliance with the requirement(s) addressed under the “Areas of Certification.” For example, “active consideration” by a State legislature could mean the introduction of, or hearings on, legislative proposals within the pertinent subcommittee or committee that would bring the State into compliance. “Active consideration” by a State judiciary could mean, for example, the deliberation by pertinent judicial or judicially appointed committees or authorities concerning judicial policies or rules that, if adopted, would bring the State into compliance. “Active consideration” by the State executive could mean, for example, the issuance of an executive order, the appointment of a Juvenile Justice Task Force to review State juvenile justice procedures and make recommendations consistent with H.R. 3, the review by the appropriate administrative or law enforcement agency, or the transmission of a package of H.R. 3-related reforms to the State legislature, any of which would, if adopted, bring the State into compliance.

Such “active consideration” by any branch need not entail the enactment or adoption of any or all legislation, policies, or practices under consideration.

In addition, for purposes of compliance under the statute, “consideration” shall be deemed “active” if it is occurring at the time of the certification or if it has occurred within the three years prior to certification. This interpretation is intended to avoid a loss of funding eligibility for States that took an early lead in addressing these issues and have completed their consideration. It would be unfair to deem those jurisdictions ineligible for funds, in favor of States and communities that have not yet taken up those issues, or to prompt those jurisdictions to reconsider legislation, policies, or practices they recently considered and resolved.

Eligibility may also be based on certification that a State will consider these requirements within one year from the date of such certification.

Certification by the Chief Executive that a State “is actively considering” such legislation, policies, or practices shall set forth a clear record of how the State’s consideration was or is being accomplished. Certification that a State “will consider” such legislation, policies, or practices shall be followed, within one year, by a brief report detailing how that consideration was achieved.

Local Eligibility

Units of local government (see Section 6.2, “Definitions”) are eligible to receive an allocation as provided in Section 2.6, concerning subgrants by States. Absent certification by the Chief Executive of a State, and the submission of an application that qualifies the State to receive an award, no JAIBG program funds will be available for direct awards to units of local government in such State from FY 1998 funds. This is because the Appropriations Act expressly provides:

...a State, or unit of local government within such State, shall be eligible for a grant under this program if the Governor of the State certifies...that the State is actively

considering, or will consider within one year from the date of such certification [the provisions of Section 1802 of H.R. 3].

Areas of Certification

(1) Prosecution of Juveniles as Adults

States must consider legislation, policies, or practices to ensure that juveniles who commit an act after attaining 15 years of age that would be a serious violent crime (see Section 6.6 , “Definitions”) if committed by an adult are treated as adults for purposes of prosecution as a matter of law or that the prosecutor has the authority to determine whether to prosecute such juveniles as adults.

Treatment as an adult for purposes of prosecution “as a matter of law” refers to statutory exclusion of these charges from the jurisdiction of a court exercising delinquency jurisdiction. For example, States that circumscribe the jurisdiction of their juvenile courts to *exclude* charges of murder, aggravated sexual assault, and assault with a firearm for juveniles 15 and over would be in compliance with this requirement.

States with *presumptive* jurisdiction of a criminal court for such offenders would also comply with this requirement. In other words, States that have placed jurisdiction of juveniles 15 or older charged with such offenses in criminal court, but permit the prosecutor or the juvenile to move for transfer to juvenile court, in the discretion of the criminal court judge, would be considered in compliance with this requirement.

States in which the prosecutor “has the authority to determine whether or not to prosecute such juveniles as adults” would include any State in which the prosecutor may file in criminal court without the necessity of judicial approval. Consequently, States that require prosecutors to seek judicial waiver or approval to transfer such juveniles from a juvenile court exercising only delinquency jurisdiction to criminal court, whether or not waiver is presumptive, would not meet this requirement. By contrast, as stated above, States that permit prosecutors to initiate proceedings in criminal court, even where the possibility exists that the juvenile defendant may seek transfer to juvenile court, would be deemed in compliance.

A few States permit delinquency proceedings with the option of criminal disposition and adult sentencing, in appropriate circumstances. States that permit such proceedings against juveniles age 15 and older for serious violent offenses would also be deemed to qualify.

(2) Graduated Sanctions

States must consider legislation, policies, or practices that impose sanctions on juvenile offenders for every delinquent or criminal act, or violation of probation, ensuring that such sanctions escalate in severity with each subsequent, more serious delinquent or criminal act, or violation of probation, including such accountability-based sanctions as restitution; community service;

punishment imposed by community accountability councils comprising individuals from the offender's and victim's communities; fines; and short-term confinement.

This requirement is intended to refer to every *adjudication* of delinquency, *conviction* of a crime, or *judicial finding* of a probation violation. It is not intended to deter States or units of local government from implementing diversion programs, drug court programs, or other alternative disposition or treatment options that permit authorities to decline to proceed with a delinquency adjudication or criminal conviction when they deem it appropriate. Nor is it intended to direct States' behavior concerning subsequent offenses that are not more serious than prior ones.

The concept of "sanctions" includes a full range of dispositions and sentences, including those traditionally available to juvenile and criminal courts, such as restitution, fines, supervised release, drug testing, probation, mandatory treatment (e.g., for sex offenders, drug abusers), out-of-home placement, and short- or long-term incarceration. The accountability-based sanctions enumerated in the statute are examples of such options and are not intended to serve as an exhaustive list.

The determination of how sanctions "escalate in severity" shall be left to each State. In general, sanctions that require a general period of probation are the least severe, although the specific terms of probation or assignment to an intensive probation program can increase the severity of a probation sanction. Sanctions that require only commitments of money and/or time, including restitution and community service, are generally considered the next level of sanction severity. Sanctions that limit personal freedom, including intensive probation, placement, commitment, confinement, and incarceration, are generally considered the most severe. The determination of escalating severity within each jurisdiction may be accomplished by legislation, by executive branch policy, if applicable, or by court rules or policies. In imposing such sanctions, judges would continue to be responsible for ensuring that the sanction is proportionate to the juvenile's offense, taking into account the juvenile's history, circumstances, and needs.

(3) Juvenile Recordkeeping

States must consider legislation, policies, or practices to establish, at a minimum, a system of records relating to any adjudication of a juvenile who has a prior delinquency adjudication and who is adjudicated delinquent for conduct that, if committed by an adult, would constitute a felony under Federal or State law, which is a system equivalent to that maintained for adults who commit felonies under Federal or State law. States must also consider making such records available to the Federal Bureau of Investigation (FBI) in a manner equivalent to adult records.

Maintaining delinquency records in a system "equivalent" to the criminal system would mean, for purposes of meeting the minimum statutory requirement: (1) providing a delinquency data base that captures adjudications of juveniles for delinquent acts (acts that would be crimes if committed by an adult); (2) matching delinquency adjudication information for felony offenses with that delinquency data base in order to identify repeat offenders; and (3) for those juveniles identified

under (2), above, compiling the basic identifying information that the State criminal history record system compiles on convicted criminal offenders (e.g., name, alias(es), date of birth, address, charge(s), place of adjudication, offense(s) for which adjudicated, and disposition). The juvenile record may also maintain information specific to juvenile records, such as names of parents or guardians and name of school attending. If a State uniquely identifies its criminal offenders, e.g., by fingerprint or photograph, an equivalent system would be required for delinquent offenders subject to this requirement.

The expanded recordkeeping requirement is triggered if a second or subsequent delinquency adjudication is for conduct that, if committed by an adult, would constitute a felony under Federal or State law. This provision does not require States to identify and include conduct that constitutes a felony only under Federal law.

States would make the applicable juvenile delinquency records available to the FBI in a manner equivalent to the way they make adult records available; e.g., by conveying the records to a central repository that then submits them to the FBI data base or by direct submissions from individual units of local government. (This provision is not intended to require that juvenile records be maintained in the same central State repository that maintains criminal history records).

Pertinent delinquent history information should be accessible to law enforcement and other authorized parties under the same circumstances as adult criminal history record information is accessible under State law.

(4) Parental Supervision

States must consider legislation, policies or practices to ensure that State law does not prevent a juvenile court judge from issuing a court order against a parent, guardian, or custodian of a juvenile offender regarding the supervision of such an offender and from imposing sanctions for a violation of such an order.

States need not take affirmative steps to encourage or require such orders, but rather must ensure that their law does not prevent such orders from being issued and enforced.

Controlled Substance Testing

In addition to consideration of the four areas of certification listed above, the Appropriations Act also requires that a State or unit of local government, to be determined eligible to receive a JAIBG award or subgrant, must have implemented, or agree to implement by January 1, 1999, a policy of testing appropriate categories of juveniles within the juvenile justice system for use of controlled substances.

The categories of juveniles within the juvenile justice system that are “appropriate” for testing shall be determined by the Chief Executive Officer of the State certifying compliance or by the applicant unit of local government. It is expected that appropriate categories will vary among jurisdictions depending on their needs and resources. States and units of local government are encouraged to include drug treatment in their overall plan to reduce juvenile drug use.

2.6 Allocation of Funds

State Allocation

The Appropriations Act allocates 0.5 percent of the available funds for each State and, of the total funds remaining, allocates to each State an amount that bears the same ratio as the population of people under the age of 18 living in each State for the most recent calendar year in which the data are available. OJJDP has determined the allocation amounts for each State for FY 1998 under this formula, and a chart of these amounts is available in appendix E.

Allocation From State to Units of Local Government

Absent a waiver (see page 12, Waiver of Local Pass-Through), each State shall distribute not less than 75 percent of the State’s allocation received among all units of local government in the State. In making such distribution, the State shall allocate to each unit of local government an amount, by formula, based on a combination of law enforcement expenditures (see Section 6.4, “Definitions”) for each unit of local government and the average annual number of Uniform Crime Report part 1 violent crimes (see Section 6.5, “Definitions”) reported by each unit of local government for the three most recent calendar years for which data are available. Two-thirds of each unit of local government’s allocation will be based on the law enforcement expenditure data and one-third will be based on the reported violent crime data, in the same ratio to the aggregate of all other units of general local government in the State. OJJDP, in cooperation with the Bureau of Justice Statistics (BJS), will provide to the States, in supplemental guidance and through technical assistance, information to assist the States in determining the appropriate allocation to each unit of local government, including available statistical information, such as Uniform Crime Report data; information available from the Bureau of the Census regarding local law enforcement expenditures; and contacts in each State that may assist in providing information already collected or available within the State. The State shall be responsible for obtaining, from State and local sources, any additional data needed to allocate funds among units of local government and for determining, in cooperation with units of local government, and organizations representing such units, the final allocation of funds among units of local government in the State.

Unavailability of Local Violent Crime or Law Enforcement Expenditure Data

If the State has reason to believe that the reported rate of part 1 violent crimes or law enforcement expenditure data for a unit of local government are insufficient or inaccurate, the State shall investigate the methodology used by the unit to determine the accuracy of the submitted data and, if necessary, use the best available comparable data regarding the number of

violent crimes or law enforcement expenditure data for the relevant years for the unit of local government.

Unit of Local Government Cap

No unit of local government shall receive an allocation that exceeds 100 percent of the average law enforcement expenditures of such unit for the three most recent calendar years for which data are available. The amount of any unit of local government's allocation that is not available to such unit by operation of the preceding paragraph shall be available to other units of local government that are not affected by the operation of this paragraph.

Allocation Less Than \$5,000

If an allocation for a unit of local government is less than \$5,000 during a fiscal year, the amount allocated must be expended by the State on services to units of local government whose allotment is less than such amount. States are encouraged to consult with these units to determine the best use of the funds available in a manner that maximizes the number of such units receiving services.

Allocation of \$5,000 or More) Nonparticipation or Waiver of Direct Award

Where a unit of local government qualifies for a subgrant of \$5,000 or more but is unable, unwilling, ineligible, or otherwise declines to participate in the JAIBG program, such funds shall be retained by the State to be reallocated among eligible units of local government in FY 1998 or the following fiscal year.

A State may establish a policy and procedure under which a qualifying unit of local government may waive its right to a direct subgrant award and request that such unit's funds be awarded to and expended for its benefit by a larger or contiguous unit of local government. Further, the State may establish a policy and procedure to allow units of local government to enter into regional coalitions utilizing combined allocations from all local governments agreeing to enter into the coalition to expend JAIBG funds using a regional Juvenile Crime Enforcement Coalition (JCEC) (see Section 4.2 for JCEC membership requirements). However, a unit of local

government, or a legally authorized combination, must serve as the fiscal agent(s) for receiving the award from the State and obligating and expending funds for the benefit of the combined units.

Program Purpose Area Distribution of Funds

States applying for funding to OJJDP and units of local government receiving funds from States must provide an assurance that, other than funds set aside for administration, not less than 45 percent is allocated for program purpose areas 3-9, and not less than 35 percent is allocated for program purpose areas 1, 2 and 10. This allocation is required unless the State certifies to OJJDP or a unit of local government certifies to the State that the interests of public safety and juvenile

crime control would be better served by expending its funds in a proportion other than the 45 and 35 percent minimums. Such certification shall provide information concerning the availability of existing structures or initiatives within the intended areas of expenditure (or the availability of alternative funding sources for those areas), and the reasons for the State or unit of local government's alternative use. However, with or without such certification, all program funds must be expended for programs within the 12 authorized program purpose areas.

Waiver of Local Pass-Through

A waiver may be requested by a State for the 75 percent pass-through to units of local government if the State demonstrates that it bears the primary financial burden (more than 50 percent) for the administration of juvenile justice within that State. The State must demonstrate how the level of primary financial burden for services provided in the authorized program purpose areas was established (see Section 6.8, "Definitions") and submit a letter to the OJJDP Administrator requesting approval of the waiver request. In submitting a waiver request, the State shall demonstrate that it has consulted with units of local government in the State or organizations representing such units. OJJDP will review the request, and in the Administrator's discretion, may waive the 75% pass-through requirement and substitute a lower local pass-through requirement in an amount that reflects the relative financial burden for the administration of juvenile justice that is borne by the State.

Example: State X demonstrates that it bears 90 percent of the total costs incurred within that State for the administration of juvenile justice (versus 10 percent for all units of local government). The State could request a reduction of the required local pass-through from 75 to 10 percent.

Administration

A State may use up to 10 percent of the total grant award for administrative costs related to the JAIBG program. A unit of local government may also use up to 10 percent of the subgrant awarded to that unit of local government for administrative costs related to the JAIBG program. All funds used for administrative costs are subject to the match requirement.

Repayment of Unexpended Amounts

A State must repay, not later than 27 months after receipt of JAIBG funds, any amount that is not expended by the State and its subgrantees within 24 months after initial receipt of such funds through a grant payment. The initial grant payment shall be deemed to be received on the date that non administrative Federal funds are deposited to the trust fund. States may draw down funds set aside for administration, for deposit to the trust fund, up to 180 days prior to the drawdown of program funds, in order to effectively administer the program and to provide maximum flexibility to the State and units of local government in utilizing a full 24 months for expenditure of program funds.

2.7 Uses of Program Funds

Section 1803(a)(3) of H. R. 3 provides that:

No funds allocated to a State under this subsection or received by a State for distribution under subsection (b) [to units of local government] may be distributed by the Attorney General or by the State involved for any program other than a program contained in an approved application.

The specific program areas allowed are identified in Section 2.4 of this Guidance Manual. All programs must be funded within one or more of the 12 purpose areas. States must report compliance with this requirement as provided by OJJDP's pending JAIBG Regulation (28 CFR Part 95) and as provided in Section 4 of this Guidance Manual.

2.8 Utilization of Private Sector

Section 1806 of H. R. 3 encourages States and units of local government to utilize private nonprofit entities or community-based organizations to carry out the purposes specified under Purpose Area 2. This provision does not limit utilization of the private sector in any of the other purpose areas, but rather serves to highlight the strengths that the private sector may have to offer within Purpose Area 2.

Section 3 Application Process

3.1 Application Kit

OJJDP will send applications to each State agency designated by the State's Chief Executive to administer the Juvenile Accountability Incentive Block Grant . Application kits include:

- o An application diskette with instructions.
- o Certifications Regarding Consideration of Prosecution of Juveniles as Adults; Graduated Sanctions; Juvenile Recordkeeping; Parental Supervision; and Implementation of Controlled Substance Testing (for signature by the State's Chief Executive).
- o Additional forms for signature (Certification Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace).

Technical assistance on the application process is available to applicants from OJJDP's State Relations and Assistance Division (SRAD). The deadline for submitting applications to OJJDP for FY 1998 is June 30, 1998.

The implementation of the JAIBG program includes a number of innovations patterned after the Bureau of Justice Assistance (BJA) Local Law Enforcement Block Grant (LLEBG) program application process. Applicants will submit to OJJDP an electronic application by returning the diskette included in the application kit. OJJDP is utilizing an automated application tracking and award system that gives SRAD staff access to an electronic grant binder and OJJDP's internal grant management tracking system. This system will enable staff to respond quickly and efficiently to grant-related requests. Finally, grantees will be able to submit reports in the same fashion in which they submitted their application. If the applicant is unable to submit the application electronically, OJJDP will make arrangements for submission of a hard copy, however, OJJDP urges all applicants to take advantage of the electronic submission option.

The following subsections address the important pre-award requirements that are part of the JAIBG application process:

3.2 Certifying Eligibility for Juvenile Accountability Incentive Block Grant Funds: "Active Consideration" of Policies Required in H.R. 3

The State's Chief Executive Officer must certify the State's active consideration of the four requirements, and existence of, or commitment to implement, a system of controlled substance testing, described in Section 2.5, "Eligibility Requirements." The certification form provided in the application package is the necessary instrument for certifying eligibility for JAIBG funds. The Chief Executive Officer's certification should be submitted with the State's grant application. A State's application cannot be processed until OJJDP has received the Chief Executive Officer

certification.

3.3 Cash Match Requirement

The JAIBG program provides that Federal funds may not exceed 90 percent of total program costs, including any funds set aside for program administration, by a State or unit of local government. Interest derived from the award does not have to be matched, but interest generated from the State's trust fund (see Section 4.1) cannot be used to match the Federal award. Finally, other than as outlined in Section 3.4, there is no waiver provision for the cash match requirement.

Matching contributions need not be applied at the exact time or in proportion to the obligation of Federal funds. However, the full match amount must be provided and obligated by the end of the project period as identified in each State's award package.

Funds required to pay the non-Federal portion of the cost of each program or project for which a grant is made, must be in addition to funds that would otherwise be made available for the program or project.

Construction costs. If, under Purpose Area 1, a State or unit of local government uses funds to construct a permanent juvenile corrections facility, the State or unit of local government must provide at least 50 percent of the total cost of the project.

State award recipients. The State award recipient is the State agency designated by the Chief Executive Officer of a State as eligible to apply for, receive, and administer JAIBG program funds. The designated State agency (DSA) must certify, as part of its grant application, that the funds required to pay the non-Federal portion of the cost of programs funded under the State's JAIBG allocation will be made available by the end of the project period. Regardless of how the match is provided, it must be made available in the aggregate by the end of the project period.

In meeting the cash match requirement, DSA's may choose from the following options:

! *Unit of local government funds.* Require each subrecipient unit of local government to provide aggregate cash match at the prescribed level or provide State funds to some or all such units to reduce the amount of required match.

! *State funds.* Provide the cash match in the aggregate (statewide match basis) by requiring some State fund recipients to "overmatch" so that other recipients can

 "undermatch" or provide no match at all, provide the required match on a project-by-project basis, provide the required match through a legislative appropriation,

or use a combination of these options.

It is the State's responsibility to ensure that the proper aggregate level of match is met.

3.4 Cash Match Waiver

Pursuant to 48 U.S.C. 1469a(d), Guam, American Samoa, the U.S. Virgin Islands, and the Northern Mariana Islands are defined as Insular Areas. Insular Areas can be exempted from providing the match requirement by the grantor agency if the match requirement is less than \$200,000. Because their individual match amounts are below this threshold, OJJDP will exempt these jurisdictions from the match requirement.

3.5 Cash Match Computation

The State or local government recipient of a JAIBG award must contribute (in the form of a cash match) 10 percent of the total program cost (other than costs of construction of permanent corrections facilities, which require a 50 percent match). The total program cost is made up of the Federal award amount and the cash match. If only the Federal award amount is known, the calculation of the match requirement is as follows:

1. Convert the Federal award amount percentage to a fraction (example, 90 percent = 9/10).
2. Invert the fraction from 9/10 to 10/9.
3. Multiply the Federal award amount by the numerator (example, \$80,000 x 10).
4. Divide the result by the denominator to determine the total program cost (example $\$800,000/9 = \$88,889$).
5. Subtract the amount of the Federal award from the total program cost to determine the cash match (example $\$88,889 - \$80,000 = \$8,889$).

3.6 Allowable Sources of Match

Allowable sources of cash match under the JAIBG program are as follows:

1. Funds from States and units of local government.
2. Housing and Community Development Act of 1974.

3. Appalachian Regional Development Act.
4. Equitable Sharing Program, a Federal asset forfeiture distribution program to State and local officials.
5. Private funds.

Funds received from any federal fund sources other than those listed above may not be used as the cash match required for the JAIBG program.

3.7 State Single Point of Contact

Executive Order 12372 requires applicants from State and local units of government or other organizations providing services within a State to submit a copy of the application to the State Single Point of Contact (SPOC), if one exists, and if this program has been selected for review by the State. Applicants must contact their State SPOC to determine if the JAIBG program has been selected for review in their State. The date that the application was sent to the SPOC should be entered on the application form.

3.8 Civil Rights Requirements

All recipients of Federal grant funds, including JAIBG awards, are required to comply with Federal nondiscrimination laws. Specifically, the statute that governs OJP-funded programs or activities (Section 809 (c), Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. 3789d) prohibits such discrimination:

No person in any State shall on the ground of race, color, religion, national origin, sex [or disability] be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, or denied employment in connection with any program or activity funded in whole or in part with funds made available under this title.

Grantees receiving \$500,000 or more must acknowledge that failure to submit an acceptable Equal Employment Opportunity Plan, which must be approved by OJP's Office for Civil Rights, is a violation of its Certified Assurances and may result in the suspension of funding obligation authority. If any court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability, or age against a recipient of funds after a due process hearing, the recipient must agree to forward a copy of the findings to the OJP Office for Civil Rights.

All grantees receiving a JAIBG award from OJJDP will receive additional instruction from the OJP Office for Civil Rights upon award. All correspondence relating to Civil Rights

Requirements should be sent directly to the Office for Civil Rights at U.S. Department of Justice, Office of Justice Programs, Office for Civil Rights, 810 7th Street, NW., Washington, DC 20531.

3.9 Immigration and Naturalization Service Requirements

Organizations funded under the JAIBG program must agree to complete and keep on file, as appropriate, the Immigration and Naturalization Service Employment Eligibility Form (I-9). This form is to be used by the recipient of Federal funds to verify that persons employed by the recipient are eligible to work in the United States.

3.10 Audit Requirements

State and local governments, nonprofit organizations, and institutions of higher education are governed by OMB Circular A-133, as amended. Whether an audit is required under this circular is dependent upon the amount of Federal funds that can be audited during the recipient's fiscal year. If the organization receives \$300,000 or more per year in Federal funds, the organization shall have an organization-wide financial and compliance audit. Commercial (for-profit) organizations shall have financial and compliance audits performed by qualified individuals who are independent from those who authorize the expenditure of Federal funds. This audit must be performed in accordance with Government Auditing Standards. The audit thresholds contained in OMB Circular A-133, as amended, apply.

Applicants are required to provide the name of their organization's cognizant Federal agency in the application form. The cognizant Federal agency is generally determined to be the agency that provides the preponderance of Federal dollars received by the applicant.

3.11 Certification Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and the Drug-Free Workplace Requirement

Applicants are required to review and sign the certification form included in the application kit. Signing this form commits the applicant to compliance with the certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," and 28 CFR Part 67, "A Government-Wide Debarment and Suspension (Nonprocurement) and Government-Wide Requirements for Drug-Free Workplace (Grants)." The certification will be treated as a material representation of the fact upon which reliance will be placed by the U.S. Department of Justice in making awards.

3.12 Office of Justice Programs Financial Guide

The Office of Justice Programs Financial Guide serves as the primary reference for financial

management and grants administration for all programs administered under the Office of Justice Programs, including the JAIBG program. The provisions of the Financial Guide, must be utilized by direct recipients and subrecipients participating in the JAIBG program. To receive a copy of the Financial Guide, contact the United States Department of Justice Response Center at (800) 421-6770, or via Internet at www.ojp.usdoj.gov/OC/finance.html.

Section 4 Award Process

OJJDP will use an automated grants management and tracking system to facilitate an efficient and expedited process through which the grant awards may be processed. In addition to the award document and special conditions, the award package will contain a preformatted Request for Payment Form and an electronic Follow up Information Form (see Section 4.3). The following subsections highlight key requirements that grant recipients must comply with prior to obligating JAIBG funds.

4.1 Trust Fund Requirement

A State that receives a grant award under the JAIBG program must establish an interest-bearing trust fund to deposit program funds. For purposes of the JAIBG program, a trust fund is defined as an interest-bearing account that is specifically designated for this program. The State must use the amounts in the trust fund (including interest) during a period not to exceed 24 months from the date the initial grant payment is received by the State. As provided in Section 2.6, the first grant payment shall be deemed to be received on the date the non administrative Federal funds are deposited to the trust fund. States, may draw down funds set aside for administration, to the trust fund, up to 180 days prior to the drawdown of program funds, in order to effectively administer the program and to allow maximum flexibility to the State and units of local government in utilizing a full 24 months for expenditure of program funds. The funds may be used only for application in the 12 program purpose areas and for authorized program administration purposes. This fund may *not* be used to pay debts incurred by other activities beyond the scope of the JAIBG program. The trust fund must be established by the recipient designated State agency.

In order to be in compliance with the trust fund requirement, a recipient's account must include the following four features:

1. The account must earn interest.
2. The recipient must be able to account for the Federal award amount.
3. The recipient must be able to account for the local match amount.
4. The recipient must be able to account for the interest earned.

If these requirements can be met within the recipient's current financial management system, there is no need to establish a separate account.

If State law prohibits a State agency recipient from establishing an interest-bearing account, the grantee will need to submit to the OJJDP SRAD Division Director a letter requesting OJJDP's concurrence with the situation. The request must address:

1. The situation that prevents the grantee from meeting the interest-bearing requirement (i.e., cite the specific State law that bars the establishment of an interest-bearing account).
2. The grantee's plan to account for the Federal award and the State and local match in its proposed financial accounting system.

OJJDP will review and make a final determination of the situation on a case-by-case basis. A list of affected jurisdictions will be maintained by OJJDP and the OJP's Office of the Comptroller for monitoring purposes.

4.2 Juvenile Crime Enforcement Coalition

States and units of local government that are eligible to receive JAIBG funds must establish a coordinated enforcement plan for reducing juvenile crime (see Section 6.13, "Definitions"), developed by a Juvenile Crime Enforcement Coalition (JCEC).

State Coalitions

State plans must be developed by a JCEC consisting of law enforcement and social service agencies involved in juvenile crime prevention. To assist in developing the State's enforcement plans, States may choose to utilize members of the State Advisory Group (SAG) established by the State's Chief Executive under Section 223(a)(3) of Part B of the JJDP Act, if appropriate membership exists, or some other planning group that constitutes a coalition of law enforcement and social service agencies.

Local Coalitions

When establishing a local JCEC, units of local government must include, unless impracticable, individuals representing (1) police, (2) sheriff, (3) prosecutor, (4) State or local probation services, (5) juvenile court, (6) schools, (7) business, and (8) religious affiliated, fraternal, nonprofit, or social service organizations involved in crime prevention. The eight listed groups for establishing a JCEC is not an exhaustive list. Units of local government may add additional representation as appropriate. Units of local government may utilize members of Prevention Policy Boards established pursuant to Section 505 (b) (4) of Title V of the JJDP Act to meet the JCEC requirement, provided that each such Coalition meets the membership requirements listed in this paragraph.

4.3 Additional Award Package Attachments

In addition to the award document and special conditions, the FY 1998 JAIBG award package will also contain an electronic Follow up Information Form and an application evaluation instrument for comment on OJJDP's automated application process. Grantees must return the signed award document and special conditions to OJJDP in order to receive their payment. The Follow up Information Form is the mechanism OJJDP is using for the States to report their compliance with the JCEC requirements. Once this form is returned to OJJDP, the Special Conditions related to these requirements will be cleared with a Grant Adjustment Notice (GAN), thereby allowing the State to obligate program funds. OJJDP encourages each State to submit the evaluation form included in the award package. Feedback from jurisdictions across the country will be incorporated into future application processes.

Section 5 Role of the Designated State Agency and Requirements of State Recipients and Local Subgrantees

5.1 The Designated State Agency (DSA)

The legislation creating the JAIBG Program requires each State Chief Executive Officer to identify the Designated State Agency (DSA) to apply for, receive, and administer JAIBG funds.

5.2 State-Level Award Process

As provided for in Section 2.6, OJJDP will award a single grant directly to each DSA, which will, absent a waiver, distribute not less than 75 percent of the total award among units of local government to be expended for authorized purposes. Such distribution shall include services provided in lieu of a subgrant award to units of local government that do not qualify for at least \$5,000 in any fiscal year.

The DSA will be responsible for submitting the State's application, disbursing funds, monitoring and reporting on programmatic and fiscal aspects of the program, and performing other administrative functions related to the JAIBG Program. The DSA should have State employees or equivalent contractual resources at an FTE level appropriate to allow the State to address each of the program functions outlined in this Guidance Manual.

The DSA may use up to 10 percent of the total State award to pay for costs incurred in administering the JAIBG program. The State is reminded that it is responsible for the match required on administrative funds. Each State must provide on the forms included in the application package, information indicating the amount of funds set aside for administrative costs.

5.3 Requirements To Be Fulfilled Prior to the Obligation of Program Funds

Following award of JAIBG funds to a State by OJJDP, but prior to obligation of program funds by the State or a unit of local government in any of the 12 purpose areas, the State must provide to OJJDP information that demonstrates that the State and each unit of local government that receives JAIBG funds have established a coordinated enforcement plan for reducing juvenile crime, developed by a Juvenile Crime Enforcement Coalition (JCEC). This information must demonstrate that the membership requirements of Section 4.2 have been met.

Additionally, the State must provide information demonstrating that the requirements outlined in

Section 2.6, related to “Allocation of Funds”, have been met.

State recipients of JAIBG awards must comply with the applicable trust fund, JCEC coordinated enforcement plan, and program allocation reporting requirements prior to obligating program funds.

The obligation of program funds is defined as a formal commitment of funds by the recipient organization for program costs. Examples of program costs include salary expenditures and contracts for goods and/or services.

The mechanism to report on compliance with the above referenced provisions is by electronic submission of the Follow up Information Form, included in the award package. After review of the Follow up Information Form, special conditions placed on the JAIBG grant award restricting obligation of non administrative funds will be removed. The DSA shall establish the process whereby each unit of local government receiving a JAIBG award, will be required to report to the DSA, demonstrating how the requirements of the program have been met by the unit of local government. Units of local government will not report directly to OJJDP.

5.4 Program Reporting Requirements

Recipients of funds are required to submit both programmatic progress reports and financial status reports throughout the grant period. Both types of reports and their required submission schedules are outlined below.

Program Progress Reports

The DSA is required to submit an initial progress report on either June 30 or December 31, based on date of award, and semiannual program progress reports thereafter. Progress reports should describe activities at the State and local level during the reporting period, the status of funding within the program purpose areas as approved upon submission of the Follow up Information Form, and updates on the “active consideration” requirement. Reports are due within 30 days following the end of that reporting period. For example:

If the grant award date is March 31, 1998, the first report would cover the period from the grant award date through June 30, 1998, and would be due July 30, 1998. The next report would cover the period of July 1 through December 31, 1998, and would be due January 30, 1999.

A final report summarizing the program’s activities and significant results is due within 120 days of the grant’s end date. Copies of the program progress report forms will be provided with the award packet.

In order to assist with the submission of the reports described above, the DSA may establish the procedures, requirements, and time lines for submission of information from the subgrantee units of local government. However, at a minimum, information identified as necessary for the administration of the program, by the DSA, must be submitted by units of local government to the DSA at least quarterly.

Financial Status Reports

Financial status reports (SF 269A) are required quarterly, within 45 days following the end of each calendar quarter. For example:

If the grant award date is March 31, 1998, the first financial status report would cover the period April 1 through June 30, 1998, and would be due August 15, 1998. The next report would cover the period July 1 through September 30, 1998, and would be due November 15, 1998.

This schedule should be followed for every quarter the award is active. The Office of the Comptroller will include a copy of this form in each initial award package. In addition, the Office of the Comptroller will provide guidance on how to account for interest generated by program funds, to each grantee to report first quarter activity.

5.5 Nonsupplanting Requirement

JAIBG program funds cannot be used to supplant State or local funds. They must increase the amount of funds that would otherwise be available from State and local sources. (see Section 6.9, "Definitions")

5.6 Suspension of Funding

OJJDP may suspend (in whole or in part) authority to drawdown or expend funds, terminate a grant, or impose another sanction on a grantee for the following reasons:

1. Failure to adhere to the requirements, standard conditions, or special conditions of the JAIBG program.
2. Failure to submit reports in a timely manner.
3. Filing a false certification in this application or in another report or document.
4. Other good cause shown.

Before taking action, OJJDP will provide reasonable notice to the grantee of its intent to impose sanctions and will attempt to resolve the problem informally. Hearing and appeal procedures will follow 28 CFR Part 18 of the Department of Justice Regulations.

Section 6 **Definitions**

6.1 State

The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands, except that American Samoa, Guam, and the Northern Mariana Islands shall be considered as one State and that, for purposes of Section 1803(a), 33 percent of the amounts allocated shall be allocated to American Samoa, 50 percent to Guam, and 17 percent to the Northern Mariana Islands.

6.2 Unit of Local Government

A “unit of local government” means a county, township, city, or political subdivision of a county, township, or city that is a unit of local government as determined by the Secretary of Commerce for general statistical purposes; the District of Columbia; and the recognized body of an Indian tribe or Alaskan Native village that carries out substantial governmental duties and powers.

6.3 Juvenile

The term “juvenile” means an individual who is 17 years of age or younger. However, individuals who are under the original or extended jurisdiction of the juvenile justice system beyond the age of 17 are eligible to receive services under the JAIBG program.

6.4 Law Enforcement Expenditures

The term “law enforcement expenditures” means the expenditures associated with police, prosecutorial, legal, and judicial services and corrections as reported to the Bureau of the Census for the fiscal year preceding the fiscal year for which a determination is made.

6.5 Part 1 Violent Crimes

The term “part 1 violent crimes” means murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault as reported to the Federal Bureau of Investigation for purposes of the Uniform Crime Reports.

6.6 Serious Violent Crime

The term “serious violent crime” means murder, aggravated sexual assault, or assault with a firearm.

6.7 Designated State Agency (DSA)

The term “Designated State Agency” refers to that agency which is designated by the Governor or other Chief Executive of a State to receive, manage, and administer JAIBG funds.

6.8 Primary Financial Burden

The term “primary financial burden” means that a State bears more than 50 percent of the financial responsibility within that State for the administration of the juvenile justice functions delineated in the program purpose areas under Section 1801(b) of H. R. 3.

Example: State X demonstrates that it bears 90 percent of the total costs incurred within that State for the administration of juvenile justice (versus 10 percent for all units of local government). The State could request a reduction of the required local pass-through from 75 to 10 percent.

6.9 Nonsupplanting

The term “nonsupplanting” means the prohibition on using Federal funds to substitute or replace State or local funds that would otherwise be spent for a particular program or purpose. The nonsupplanting requirement provides that funds shall be used to increase the amount of funds that would be made available from State or local sources.

6.10 Juvenile Crime Enforcement Coalition

The term “crime enforcement coalition” means a group of individuals representing the police, sheriff, prosecutor, State or local probation services, juvenile court, schools, business, and religious affiliated, fraternal, nonprofit, or social service organizations involved in crime prevention. The coalition is responsible for establishing a coordinated enforcement plan for reducing juvenile crime within a unit of local government.

6.11 Juvenile Detention Facility

The term “juvenile detention facility” means any public or private residential facility that includes permanent and temporary construction fixtures designed to physically restrict the movements and activities of juveniles or other individuals held in lawful custody and that is used for the temporary placement of any juvenile who is accused of having committed an offense, of any nonoffender, or of any other individual accused of having committed a criminal offense.

6.12 Juvenile Correction Facility

The term “juvenile correction facility” means any public or private residential facility that includes permanent and temporary construction fixtures which are designed to physically restrict the movements and activities of juveniles or other individuals held in lawful custody and that is used for the placement, after adjudication and disposition, of any juvenile who has been adjudicated as having committed an offense, any nonoffender, or any other individual convicted of a criminal offense.

6.13 Coordinated Enforcement Plan for Reducing Juvenile Crime

A plan developed by a State or local Juvenile Crime Enforcement Coalition that is based on an analysis of juvenile justice system needs. The analysis determines the most effective uses of funds, within the twelve JAIBG program purpose areas, to achieve the greatest impact on reducing juvenile delinquency, improving the juvenile justice system, and increasing accountability for juvenile offenders.

Appendix

- A. Title III of H.R. 3**
- B. House Report 105-405, Provisions Relative to the JAIBG Program**
- C. Overview of the:**
 - Office of Justice Programs (OJP),**
 - Office of Juvenile Justice and Delinquency Prevention (OJJDP), and**
 - State Relations and Assistance Division (SRAD)**
- D. Juvenile Accountability Incentive Block Grants Program SRAD State Assignments**
- E. Chart: Individual State Allocations**

Overview of the Office of Justice Programs, the Office of Juvenile Justice and Delinquency Prevention, and the State Relations and Assistance Division

This appendix provides an overview of the organizational structure and mission of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the agency charged by the Attorney General with administering the Juvenile Accountability Incentive Block (JAIBG) Program. Because OJJDP is one of five bureaus operating under the Office of Justice Programs (OJP), an overview of OJP is provided first to further orient State and local program managers.

Office of Justice Programs

The Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Justice Assistance Act of 1984, established OJP, which coordinates the activities of five program components: the Office of Juvenile Justice and Delinquency Prevention, the Bureau of Justice Statistics, the National Institute of Justice, the Bureau of Justice Assistance, and the Office for Victims of Crime. OJP's organizational structure also includes three Crime Act program offices: the Corrections Program Office, the Drug Courts Program Office, and the Violence Against Women Grants Office. These offices are responsible for administering funds stemming from the passage of the Violent Crime Control and Law Enforcement Act of 1994. In addition, the Executive Office for Weed and Seed is now located within OJP.

The mission of OJP is to identify emerging criminal justice issues, develop and test promising approaches to address those issues, evaluate program results, and disseminate findings and other information to units of State and local government. OJP is led by an Assistant Attorney General, who by statute and delegated authority from the U.S. Attorney General coordinates policy, establishes priorities, focuses on national priorities, directs the general management of OJP efforts on national priorities, and directs the general management of OJP'S five component bureaus and four program offices. OJP contains six administrative support offices, including the Office of the Comptroller, the Office of General Counsel, the Office of Congressional and Public Affairs, the Office for Civil Rights, the Office of Budget and Management Services, and the Office of Personnel.

Office of Juvenile Justice and Delinquency Prevention

Congress enacted the Juvenile Justice and Delinquency Prevention (JJDP) Act in 1974. This landmark legislation established the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support local and State efforts to improve their juvenile justice systems. In accordance with the Act's purposes, OJJDP leads the national initiative to promote a comprehensive and coordinated strategy to meet the challenge facing America's children. The activities reflected in OJJDP's mission encompasses the spectrum of juvenile justice issues, including researching the causes and correlates of delinquency, developing and implementing cost-effective programs that prevent delinquency and reduce recidivism, and providing training that enhances the operation of the juvenile justice system and assists youth service providers.

OJJDP's initiatives share a common purpose of promoting practical solutions to the problems challenging our Nation's juveniles.

OJJDP is headed by an Administrator, who is a presidential appointee. OJJDP conducts its program activities through the Office of the Administrator and seven organizational components:

- o State Relations and Assistance Division
- o Research and Program Development Division
- o Special Emphasis Division
- o Training and Technical Assistance Division
- o Concentration of Federal Efforts Program
- o Missing and Exploited Children's Program
- o Information Dissemination Unit

The Research and Program Development Division (RPDD), the Information Dissemination Unit, and the Training and Technical Assistance Division constitute the National Institute for Juvenile Justice and Delinquency Prevention. The Institute offers a broad array of programs that serve juvenile justice professionals.

The Special Emphasis Division provides discretionary funds to public and private nonprofit agencies, professional organizations, and individuals to carry out programs and activities designed to establish a continuum of care for at-risk and delinquent youth; RPDD pursues a comprehensive research agenda, develops knowledge about specific problems, monitors trends, and analyzes the practices of the juvenile justice system; and the Training and Technical Assistance Division strengthens the juvenile justice system, including law enforcement, juvenile courts, corrections, youth service, and child advocacy organizations by providing training, technical assistance, and state-of-the-art information.

State Relations and Assistance Division

The State Relations and Assistance Division (SRAD) is the OJJDP component that manages the Juvenile Accountability Incentive Block Grant Program (JAIBG). In addition, SRAD manages OJJDP's Formula Grants program, Challenge Grants activities under Part E of the JJDP Act, and Title V Grant fund activities, which help the States, territories, to prevent and treat delinquency and improve their juvenile justice systems. In pursuit of these objectives, SRAD, working with each participating State's Juvenile Justice Specialist:

- o Oversees the development of comprehensive State juvenile justice plans that determine priorities for the expenditure of Formula Grant funds.
- o Monitors State compliance with JJDP Act core requirements:
deinstitutionalization of status offenders, separation of juveniles and adults in institutions, removal of juveniles from adult jails and lockups, and addressing disproportionate minority confinement where it is found to exist.
- o Provides training and technical assistance to States in formulating and implementing their State plans.
- o Awards and monitors Title V discretionary funds that are provided through States to enable communities to implement local juvenile delinquency prevention plans.
- o Awards funds to States to conduct Challenge Grant activities under Part E of the JJDP Act.

SRAD is headed by a division director responsible for policy development and program coordination between SRAD and other OJP component offices.