

NATIONAL
JUVENILE JUSTICE
NETWORK

FISCAL POLICY CENTER TOOLKIT

**How to Find and Use
Byrne Justice Assistance Grant (JAG)
Information for Juvenile Justice Reform**

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What Are Byrne Justice Assistance Grants?

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C. § 3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions. In fiscal year 2015, the total allocation for JAG funding was approximately \$255.8 million, of which \$249.5 million went to the 50 states and \$6.3 million went to U.S. territories and the District of Columbia. A total of 1,408 local governments were eligible for awards.¹

WHAT DO THE GRANTS PAY FOR?

Historically, the majority of JAG funds have been allocated to law enforcement, prosecution, and drug enforcement activities with the goal of reducing crime. Thus, these funds have often been used for anti-drug abuse enforcement programs, anti-gang programs, or regional task forces, with support going primarily to prosecutors, law enforcement agencies, or courts. The success of such grants has been measured in the past by factors such as the number of arrests, prosecutions, convictions, guns seized, or drugs seized. More appropriate measures, such as measuring changes in the crime rate, recidivism rates, and drug addiction rates, as well as the use of diversion programs, have rarely been employed. However, over the past decade there has been bipartisan criticism of the Byrne JAG program's subsidization of drug war policies, particularly of discriminatory enforcement of low-level drug crimes, and the subsidization of mass incarceration. In response, in 2015, the Justice Department revised the accountability measures that grant recipients must use placing more emphasis on reducing crime and incarceration, and increasing resources for indigent defense, rather than increasing law enforcement and arrests.²



New guidelines support use of funds for indigent defense, prevention programs for youth, and community-based treatment.

Putting JAG Funds to Work for Youth and Safer Communities

JAG funds have been authorized for a broader range of programs in recent years, including public defense, which is now a key priority area.³ The federal Bureau of Justice Assistance (BJA) lists the following seven purpose areas as the types of criminal justice and public safety initiatives that the JAG program supports:⁴

- Law enforcement programs.

- Prosecution and court programs, including indigent defense.
- Prevention and education programs.
- Corrections, community corrections and reentry programs.
- Drug treatment and enforcement programs.
- Planning, evaluation, and technology improvement programs.
- Crime victim and witness programs (other than compensation).

Additionally, the White House has said specifically that JAG funding is to “be used to help communities keep their neighborhoods safer with more cops, prosecutors, and probation officers; more radios and equipment; more help for crime victims and *more crime prevention programs for youth*” (emphasis added).⁵ This means that local advocates can work to allocate a portion of local JAG funds toward prevention, intervention, community-based treatment, and indigent defense for youth.

Revised Accountability Measures Support Positive Outcomes Instead of Incentivizing Arrests and Drug Enforcement

In response to public pressure, the Department of Justice instituted new accountability measures for programs funded through JAG dollars. The new accountability measures, which grantees were first required to meet by January 2016, include a number of significant changes, including two vital changes: removing number of arrests and removing measurements of drug enforcement -- including the volume of drugs seized, the value of drug-related assets seized, and the number of new drug-related cases opened.⁶ In addition, many positive incentives were added, including: measuring changes in crime, measuring the change in the number of citations issued by police instead of arrests, measuring the percent of cases where prosecutors recommend alternatives to prison, and measuring whether people attending mental health and drug treatment programs demonstrate improvement.⁷ While there is still room for progress in terms of linking performance measures to the success of funded activities, the revised measures are a significant improvement and make it easier to apply this critical funding stream to positive youth programs and indigent defense services.

Communities are now encouraged to reduce crime and incarceration, and increase diversion and treatment.

Recipients of JAG funds must report on their activities according to outcomes measures that are outlined in distinct subject area modules. Additionally, all recipients must rate how closely they work with partners from a large number of stakeholder groups including indigent defense, law

enforcement, courts, victim services, child protective services, mental health and substance abuse treatment providers, and community groups and service providers.⁸ Details of a few of the required outcomes measures for each of the modules are listed below.

Community Corrections Module

- Measures how often the program staff conducted certain activities, including: used a validated screening and assessment tool; tailored case planning based on risk, needs and responsivity principles; encouraged the use of positive reinforcement; engaged community and family support; and provided or referred individuals to community services for assistance/counseling.
- Determines whether the community corrections program provided any of the following types of services for participants: cognitive-based therapeutic programs, education; employment; health care/Medicaid eligibility; housing; mental health; mentoring; guardian-ad-litem; pro-social; transportation; vocational; individualized case planning; and family engagement.
- Measures the number of individuals that were screened for or received reentry services and whether they successfully completed the program.

Corrections Module


- Determines whether and at what point in the process the agency conducts any of the following assessments or screenings: risk/need; mental health; substance abuse; trauma; physical health; and intellectual disabilities.
- Measures how often the program staff conducts certain activities including: used a risk/needs assessment tool; tailored case planning based on risk, needs and responsivity principles; encouraged the use of positive reinforcement; engaged community and family support; provided reentry planning; provided behavioral health treatment; and offered alternatives to segregation.
- Determines whether the agency provided any of the following services for participants: housing; mental health; mentoring; guardian-ad-litem; pro-social; transportation; vocational; individualized case planning; and family engagement.
- Determines whether agencies are tracking a number of items on a quarterly basis including: recidivism; institutional violations; completion of services such as education, drug services, and job training; cases of sexual abuse; and cases of correctional officer use of force.

Court Module

- Determines whether the court or a partner agency provided any of the following services for participants: cognitive based; education; employment; health care/Medicaid eligibility; housing; mental health; mentoring; guardian-ad-litem; pro-social; transportation; vocational; individualized case planning; and family engagement.
- Measures how often the court did the following activities: conducted analysis to better understand a problem; used a validated screening and assessment tool; tailored case planning based on risk, needs and responsivity principles; and used graduated sanctions and incentives.

Crime Prevention Module

- Determines how often the following measures are being tracked: crime; recidivism; victimization; community satisfaction with law enforcement; and citizen fear of crime.
- Measures how often the following activities were done: conducted analysis to better understand a problem; initiated community engagement or community problem solving; provided or referred individuals to community services; and provided direct services for at-risk population.



Some common themes in the accountability measures: individuals diverted where possible, and families and communities engaged.

Indigent Defense Module

- Determines office's policy on the use of vertical defense (the practice of having one attorney represent the client from the beginning to the completion of the case).
- Determines whether the indigent defense program uses any of the following models: holistic defense; family-integrated defense; or mediation/restorative justice.

Law Enforcement Module⁹

- Determines how often law enforcement agencies tracked the following measures: recidivism; issuance of citations in lieu of arrest; citizen complaints; reports of officer use of force; and individuals receiving direct services.

- Tracks how often law enforcement did the following activities: conducted analysis to better understand a problem; conducted public outreach; initiated community engagement or community problem-solving; made referrals to community services; advocated for diversion of offenders from prosecution to alternative sanctions or programs; and provided direct services for at-risk population.
- Determines whether particular crime prevention strategies were used, including youth development programs that promote positive behaviors and decrease negative behaviors in youth, such as any of the [Blueprints for Healthy Youth Development](#) programs.

Prosecution Module¹⁰

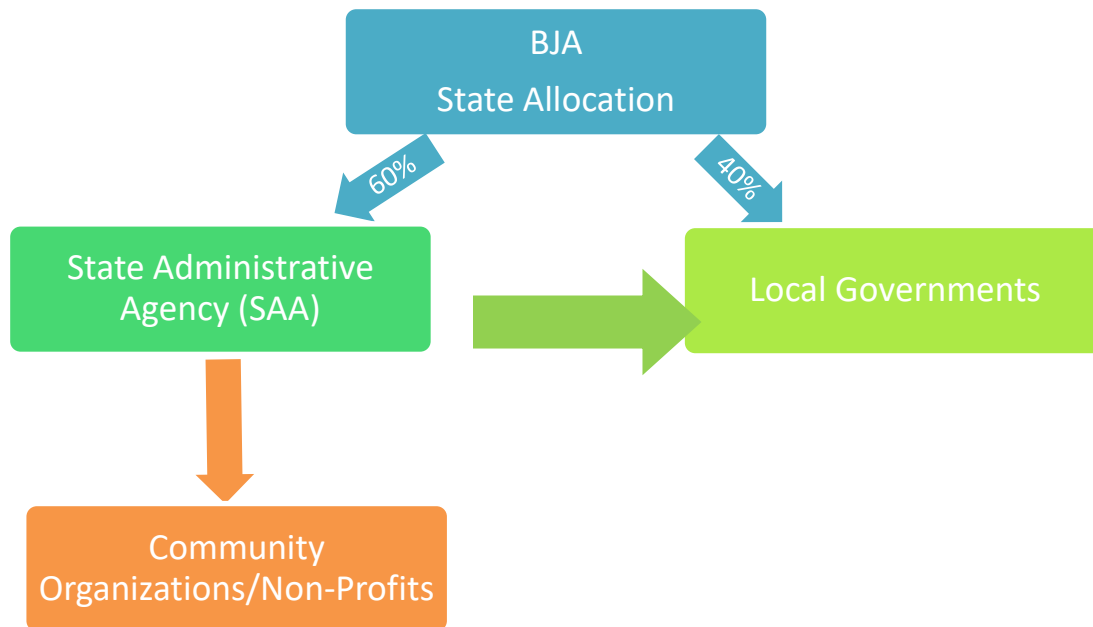
- Determines whether prosecutors are tracking their use of alternatives to incarceration and use of diversion from prosecution; use of early screening of cases; and use of risk assessments.
- Measures how often prosecutors did the following: conducted analysis to better understand a problem; administered victim/community satisfaction surveys; participated in community engagement activities; initiated community problem-solving; provided or referred individuals to community services; diverted individuals from prosecution; used alternatives to incarceration; held victim-offender dialogue meetings; and provided mediation/restorative justice.
- Regardless of JAG funding, requires all prosecutor programs to determine the total number of cases where the prosecutor recommended alternatives to incarceration out of all the cases they disposed.

WHEN AND HOW IS THE MONEY DISTRIBUTED?

The federal Bureau of Justice Assistance (BJA) manages the JAG program. The size of the total allocation varies each year, but states and territories receive an allocation based in part on a formula tied to population and violent crime rates.

Each state's allocation is split: 60 percent goes to the state's criminal justice planning agency, also known as the State Administering Agency (SAA), and 40 percent goes to local units of government (see next paragraph for more detail). In turn, the SAA passes through a designated percentage (called the "Variable Pass Through") of its 60 percent allocation to local units of government. The SAA may also reserve some funds for direct grants to local organizations, including non-profits.¹¹ (See diagram, below.)

Units of local governments can receive JAG funds as pass-through from their SAA, and they can also receive some portion of the 40 percent allocation direct from BJA, as long as they apply for the money. Exceptions to this include jurisdictions with small population density or jurisdictions that fail to report crime statistics to the FBI's Uniform Crime Reporting Program (UCR). Jurisdictions that are eligible for a grant of less than \$10,000 do not receive a direct award from BJA. Instead, funds for "less than \$10,000 jurisdictions" are allocated to the SAA. In turn, the SAA is responsible for distributing funds to the "less than \$10,000 jurisdictions."¹²



The Bureau of Justice Assistance invites states and local governments to apply for the JAG program during the second quarter of the calendar year. Typically, the federal solicitation is published in April/May, with the application due in June/July. Awards are then generally announced at the end of August or beginning of September, and funds become available in October. Note, however, that this schedule is subject to change depending on when the federal budget is approved and appropriated. The grant period is four years in length for awards greater than \$25,000 and two years in length for awards less than \$25,000.¹³

SAA's invite stakeholders (state agencies, local government agencies, non-profits) to apply for pass-through funds but the timetable varies by state. A public comment piece is a part of the recipient's responsibility and some states conduct public hearings, though that is not required.

Look for [current and former JAG solicitations and awards here](#).

The Key Role of Your State Administering Agency (SAA)

In each state, territory, and the District of Columbia, the Governor or other Chief Executive Officer designates an entity to serve as the State Administering Agency (SAAs). SAAs are responsible for criminal justice planning, coordination, management, and training within each state, territory, and the District of Columbia, and they also are designated to apply for, accept, distribute, monitor, and report on JAG funds, and in most cases other criminal justice grants as well.¹⁴

The [SAA in your state](#) is a critical player in the grant process. You can find the lead administrator responsible for the SAA in your state by going to the [Office of Justice programs website](#). There, you can click on your state and then scan the list of names for the “Justice Assistance Grant (JAG) Contact.”

The SAA is responsible for:¹⁵

- Coordinating the JAG funds which go directly to the SAA among state and local justice initiatives.
- Preparing and submitting the state JAG application.
- Administering JAG funds, including establishing funding priorities, distributing funds, monitoring subgrantees’ compliance with all JAG special conditions and provisions, and providing ongoing assistance to subgrantees.
- Submitting quarterly financial status (SF-425) and performance metrics reports, semi-annual program reports, and semi-annual subgrant information.
- Ensuring that subgrantees are aware of and in compliance with all programmatic and financial rules through the use of special conditions and subgrantee monitoring.
- Passing through a pre-determined percentage of funds (based on the “Variable Pass-Through percentage” or “VPT”) to local jurisdictions. These percentages change periodically. [Updated VPTs can be found here](#). SAAs are required to use this updated VPT data in the administration of FY 2014 and future Byrne JAG awards (the VPT is updated every few years).
- Administering the pass-through of funds to “less than \$10,000 jurisdictions.”

Tracking JAG Money in Your Area

Tracking JAG allocations is a multi-step process. The first step is to go to the BJA website and determine the amount allocated directly from BJA to (1) your state and (2) local governments in your state. JAG allocations are public information. You can find [current and former JAG solicitations and awards](#) here.

The second step is to find out how your state “spent” or allocated its JAG monies. (Remember, your SAA automatically receives 60 percent of the state allocation.) This information should be available from your SAA and should be located on its website (find your [SAA’s contact here](#)). If this information is not published on your SAA’s website, call your SAA and ask for a list of the programs, state agencies, local governments, or any other entity to which JAG funds were allocated in the most recent budget cycle and the amount granted to each.

Next, you should determine how local governments “spent” or allocated JAG funds received directly from BJA. (Remember, 40 percent of a state’s allocation is awarded directly to local governments.) This information may be available on the local government’s website and should be reflected in the local government’s budget. You may want to call the local government agency responsible for overseeing the JAG allocation. Your first call should be to the local government’s treasurer or budget office.

Other questions to ask:

- What role, if any, does your state’s legislature have in allocating JAG funds?
 - In most states, the SAA is an executive department and is closely controlled by the executive branch. An active member of the judicial or legislative branch can influence how JAG funds are allocated. Legislation can also mandate advice or consent from the legislature prior to allocation, change the process of allocation, or establish a specific organization as the SAA.
- Ask the SAA for a copy of your state’s annual report to the BJA on its JAG spending. This document can tell you a lot about where the money is going, and how success is or is not being measured. Note, however, that this report generally will not include information on direct grants from the SAA to local units of government.

Changing the Way JAG Funds Are Allocated

Justice reformers have had success in redirecting the JAG funds towards positive youth programming and juvenile indigent defense.

through both advocacy and by serving on their state's SAA. With the JAG program's new prioritization of indigent defense and improved accountability measures, now is an opportune time to become more involved in JAG funding process.

HOW TO GET INVOLVED

Participate in the Strategic Planning Process

The Bureau of Justice Assistance (BJA), which administers the JAG grants, strongly encourages SAAs to have a strategic plan in place and to use JAG funding in support of this plan. States are asked to submit a current version of their state's strategic plan with their JAG application. BJA also encourages states to use a community engagement model when developing their strategic plan. In the program narrative for the JAG grant, states are expected to describe their strategic planning process and include a description of how local communities are engaged in the planning process as well as identifying stakeholders currently engaged in the process, and the gaps in the state's needed resources for criminal justice purposes.¹⁶

Beginning in FY 2014, each states' strategic plan was publicly posted, and currently be found on the [National Criminal Justice Association \(NCJA\) website](#). By reviewing your state's plan, you can determine who has been involved in the planning process and advocate for inclusion to represent the community and as a stakeholder. Additionally, you can review these plans to determine if the gaps in resources that you perceive have been identified in your state's plan.

Engaging in the strategic planning process is a key way to make your voice heard; and outreach to non-traditional partners, such as public defense and nonprofits, is now being encouraged. Paths to involvement depend on whether and how your SAA is engaging the community, but it can include participation in local focus groups, in working groups guiding the strategic planning initiative, and in surveys, interviews, and stakeholder meetings.¹⁷ NCJA, which is funded by BJA to provide technical assistance to states in developing strategic plans, is a good resource for information on how to get involved in the strategic planning process, in addition to contacting your current SAA officials. See this [NCJA webpage](#) for further information on the technical assistance they provide and contact information.

Participate in Processes Collecting Public Comment¹⁸

Applicants for JAG funding (local governments and SAAs) must provide an opportunity for the public to comment on their applications. Organizations, stakeholders, and advocates should take the time to comment on the applications.

The manner in which the public is notified and given an opportunity to comment, as well as the pertinent dates, should be included in the “review narrative” portion of their application to the Bureau of Justice Assistance. Common forms of public notification include website and newspaper postings, and city council, tribal council, and county board hearings that are open to the public.

You may be able to find a comment process described on your SAA’s website, when it puts out a call for proposals. If you cannot find it, ask your SAA’s lead administrator what that process is – and participate! (The same requirement will likely also apply if JAG funds are being disbursed at the local level.)

SAAs have a lot of latitude about setting a timeline for public comment – comments may even be solicited *after* their applications have been submitted to BJA. If the public comment requirement is not met at the time of the JAG funding application, BJA will process the application, but funds will be withheld until the grant recipient provides documentation that the public comment requirement is complete.

For obvious reasons, you are more likely to influence the outcome if public comments are solicited before the application has been completed and submitted. You may find it necessary to pressure your SAA to adjust its comment timelines accordingly.

- Direct any questions you have about the comment process directly to the SAA’s lead administrator. Alternatively, you can ask a friendly legislator to submit questions you crafted.
- Is there an advisory committee that has a role? Attend any public meetings they may hold.
- Consider writing letters to the advisory committee or the SAA – and sending copies to your targets/allies in your legislature, to keep them apprised.

Take Your Concerns to the Legislature

If your legislature is a key player in how JAG funds are distributed, you can lobby the budget committee staff (or your local equivalent) to support redirecting JAG funds. Consider also the value of circulating a sign-on letter to other organizations and influential community members.

Get a Representative on the SAA'S Commission and/or Connect with the Sitting Commissioners

More than half of the states use a board or commission to determine the distribution of the JAG funds.¹⁹ Consequently it can be very helpful to seek to place a child advocate on these boards. As of 2010, 39 percent of these boards already included a representative from public defense and in one state, a practicing criminal defense attorney is the commission chair.²⁰ For example, in Delaware, the Chief Defender for the Office of Defense Services serves on the state SAA, the Delaware Criminal Justice Council, and is Chair of the Drug and Violent Crime Advisory Committee, which reviews and approves the spending plan for the SAA grants.

Apply Directly for a Grant

Local and state government agencies and non-profit organizations can apply to the SAA for JAG funds. Often the SAA will have information on how to apply on their website, such as [this example](#) from Maryland's SAA – the Governor's Office of Crime Control and Prevention. It is important to review the SAA's website and strategic plan, if available, in order to determine the SAA's priority areas for funding. Note, however, that applying for and monitoring this grant can be quite onerous, so you may find it advantageous to partner with an agency already comfortable with accessing federal grants.

STATE EXAMPLES

Below are examples of states that have successfully advocated for JAG funds for programs that reach beyond police and prosecution activities, such as community-based alternatives, re-entry, and indigent defense for adults and youth:

ARKANSAS

Arkansas used JAG funds to provide public defender services to veterans in two counties. The attorneys assisted the veterans in finding housing and securing health care services.²¹

CALIFORNIA

As part of the 2009 federal stimulus package, California received \$225 million in JAG grants – about 10 times the state's typical annual allocation. Concerned that such a huge injection of

dollars into task forces would exacerbate arrests and drug war waste, advocates led a successful, precedent-setting campaign to redirect the funds to more sensible and cost-effective programs.

In 2009, for the first time, California directed \$100 million in stimulus JAG grants to intensive probation, treatment-instead-of-incarceration programs, and pilot re-entry courts. In 2010, the state directed \$15 million – half of that year’s JAG grant allocation – to drug treatment and re-entry services. If directed to task forces, the \$115 million in 2009-10 JAG grants would have likely resulted in 74,500 arrests and \$1.5 billion in new state costs.²²

DELAWARE

Delaware has used JAG funds to support indigent defense for many years and some funds have been used specifically for youth cases. From 2013 to the present, Delaware used JAG funds to fund attorneys and expert fees for risk assessments for the preparation and filing of petitions for retroactive removal of youth from the sex offense registry and to represent youth charged with new sex offenses. Below is a sampling of other ways Delaware has used JAG funds.²³

- Funded two attorneys. Goals were to reduce the number of cases transferred to state misdemeanor court and to reduce the detainee population by speedier case processing (2003-2005).
- Funded a forensic nurse to work on evidence issues for defense cases (2003 – 2006).
- Funded one paralegal and one psycho-forensic evaluator to assist with bail motions to reduce pre-trial detainee population, mentor released clients (2003 – 2005).
- Funded one attorney and one psycho-forensic evaluator position to assist with the goal of creating a diversionary mental health program for youth (2006 – 2010).
- Funded one attorney and one paralegal to provide a more holistic defense approach (2009 – 2012).
- Funded one attorney, one psycho-forensic evaluator, one paralegal, and one investigator to replace positions lost under state budget cuts (2009 – 2011).
- Funded two psycho-forensic evaluators to focus on mental health issues (2011 – 2014).
- Funded one mitigation specialist to handle cases in two counties (2012 – 2013).

DISTRICT OF COLUMBIA

The District of Columbia used JAG funds to support programs that emphasize evidence-based practices for reducing youth and adult recidivism.²⁴

FLORIDA

Broward County used JAG funds to support the work of the Practical Academic and Cultural Education (PACE) Center for Girls in providing and expanding gender responsive outreach community-based services to girls.²⁵

The City of Jacksonville used JAG funds to help finance the Developing Adults with Necessary Skills (DAWN) program. This is a reentry program for students who are aged 18 or older and do not have a diploma. It prepares students to take the GED and provides them with transitional counseling and life skills training, including job support.²⁶

GEORGIA

Georgia's Criminal Justice Coordinating Council used JAG and other federal funds to support a juvenile justice reform initiative to divert low-risk youth to community-based alternatives to incarceration.²⁷

ILLINOIS

JAG funding was used to test the Adult Redeploy program, which provides financial incentives to counties and judicial circuits to promote local alternatives to incarceration. Localities agree to reduce the number of individuals incarcerated by 25 percent or more, in exchange for funding and technical assistance. While started with JAG funds, this program is now entirely state funded.²⁸

The Cook County Public Defender was able to use JAG funds to hire two full-time mitigators. After organizing and analyzing information on the behavioral history of a defendant, mitigators then articulate the impact of social, familial, medical, and psychological influences on a defendant charged with a criminal case, particularly a serious felony case.²⁹

IOWA

Iowa used JAG funds to support reentry coordinators to help those incarcerated to transition back into the community with skills and services in place. The program was initially funded with JAG grants, and now is fully state funded.³⁰

KENTUCKY

Kentucky used JAG funds to start an Alternative Sentencing Social Worker Program that helps social workers and public defenders to develop individual sentencing plans for the court that

offer alternatives to incarceration. Caseloads include juvenile, family, misdemeanor, and criminal court cases.³¹

MINNESOTA

Minnesota used JAG funds to support 7.5 public defender positions, helping to offset the loss of 53 public defender positions in 2008.³²

MISSISSIPPI

Mississippi is using JAG funds to support a pilot juvenile justice research consortium and for additional monitoring staff to ensure compliance with the Juvenile Justice Delinquency and Prevention (JJDP) Act.³³

OREGON

Multnomah County uses JAG funds to support their Re-Entry Enhancement Coordination (REC) Program. The program uses evidence-based approaches such as cognitive behavioral therapy, motivational enhancement therapy, and the Wanberg model for substance abuse treatment to treat addiction and reduce recidivism. The program serves high-risk individuals with co-occurring and substance use disorders and provides wrap-around services that include housing, substance abuse treatment, vocational treatment, and peer-to-peer mentoring.³⁴

TENNESSEE

Tennessee used JAG funds to provide a grant to the University of Tennessee to conduct a statewide conference on evidence-based programs in criminal and juvenile justice.³⁵

Sample Fact Sheet

When advocates seek to change the way JAG funds are allocated, creating a fact sheet detailing the salient points about how JAG monies are spent now can be a useful resource – be sure to highlight the absurdities and inefficiencies you find. But don't forget to also list some facts that support the alternative you're proposing.

Of course, if you have a lot to say about your state's JAG spending and you need space in which to explain the figures, you may need to issue a brief report in addition to your fact sheet. But make sure your fact sheet contains your most important talking points – including the facts that policymakers will need to make their case, and which reporters will need to write their stories.

NOTE: Throughout this document, we've elected to use the phrase, "JAG" to describe the source of funds for the sake of convenience. However, in documents you share with the public, we recommend using a less bureaucratic phrase, such as "Byrne grant" or the like, to describe the source of funds.

[See next page.]

Money Down the Drain

A FACT SHEET FROM OUR ORGANIZATION

Increased public safety begins with practical solutions that help our young people to thrive, divert them from the justice system, and pave the way for strong communities with plenty of opportunity for all those who live in them. Sending youth into the justice system is like placing them in a maze without exits. Once they are in the system, it's difficult for them to get out. When we fail to put our resources into smoothing their path to education, job training, housing, and other resources – interventions proven to help them stay on the right track – they can get stuck in the maze for years. Redirecting federal Byrne grants can help us redesign the system so that it has more pathways to the resources youth need to reenter their communities successfully.

What is a Byrne Grant?

The federal Bureau of Justice Assistance gives money to states to prevent and control crime, and to “improve the criminal justice system.” It does this through the Edward Byrne Memorial Justice Assistance Grant Program, which is the primary provider of federal criminal justice funding to state and local jurisdictions.

How Does Our State Spend its Byrne Grant Funds?

1. In fiscal year _____, our state received almost \$xx million in Byrne grant funds from the federal Bureau of Justice Assistance.³⁶ Sixty percent of those funds went to the state and were passed through to counties and local governments; 40 percent went straight to units of local government that applied for monies.
2. Forty-two of Our State's forty-seven counties spent all of their Byrne grant funds -- \$xx million – on anti-drug task forces that fund prosecutors, law enforcement, and the courts.

What's Wrong with the Way Our State Spends Byrne Grant Funds?

- The Our State Justice Department reported that 42 of 47 counties spent \$xx million in Byrne grant funds last year to arrest 143 people for drug-related crimes – or \$xx dollars per person (not including court costs for trying and sentencing). Yet a current analysis by Our State University found the average cost to arrest an individual in Our State – including court costs – was \$xx.³⁷
- In its annual report to the federal Bureau of Justice Assistance, Our State provided no information on whether any of the 143 people were convicted or whether they received any drug treatment or other services .

- According to figures compiled by Our State Justice Department in its latest budget report,³⁸ the actual cost of the drug court task forces was \$xx million – or xx percent more than the \$xx million dollars received in the form of Byrne grant funds.
- No county in Our State reported performance data on how they spent Byrne grant funds during fiscal years [recent date range].
- Our four most populous counties – County 1, County 2, County 3, and County 4 – spent \$xx,xxx in federal Byrne grant dollars for “school-based anti-violence and drug prevention programs aimed at “decreasing the incidence of violent and destructive behavior in and around the high school.” Yet the program led to more kids being expelled from school.

The number of youth suspended or expelled from schools in these four counties for low-level infractions like violating the school dress code has risen xx percent since [year], even as the rate of violent youth crime has fallen to its lowest level in 30 years.

- According to the Washington State Institute on Public Policy, there are many evidence-based programs for youth in trouble with the law that reduce repeat crime and are significantly more cost-effective than incarceration. But Our State allocated only \$xx million for these programs last year. In comparison, it spent \$xx million to incarcerate xx youth.

What’s a Better Way to Keep Our Community Safe?

- We propose to redirect \$xx million dollars of Byrne grant funds from ineffective programs that have no measurable impact on improving community safety. Instead, the funds would be used to expand two existing programs that already have a great track record of serving youth in trouble with the law and youth at risk.
 - The first program would send an additional 50 youth in trouble with the law to mandatory treatment and rehabilitation services that have been shown to reduce recidivism. Success would be measured by the number of youth who successfully complete treatment and the recidivism of its graduates – both outcomes that relate to community safety.
 - The second program would allocate \$xx million to implement the “Effective Schoolwide Discipline” program in high schools in County 1, County 2, County 3, and County 4. The program has 20 years of research behind it, and safely reduced out-of-school suspensions in Virginia schools by 75 percent between 2007 and 2010.³⁹

Important Resources

- Federal Bureau of Justice Assistance information page on JAG funds: https://www.bja.gov/ProgramDetails.aspx?Program_ID=59
- BJA grants – current and former: <https://www.bja.gov/Funding.aspx> and https://www.bja.gov/ProgramDetails.aspx?Program_ID=59#horizontalTab8
- Total Office of Justice Programs awards to your state: <http://ojp.gov/funding/Explore/OJPAwardData.htm>
- Bureau of Justice Assistance Awards – by grant program and state: <http://www.ncja.org/grants-comparison-funding-charts>

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¹ Alexia D. Cooper and Shelley S. Hyland, “Justice Assistance Grant (JAG) Program, 2015” (U.S. Dept. of Justice, Office of Justice Programs, Bureau of Justice Statistics, Washington, DC: Oct. 2015): 5, <http://bit.ly/2drtLqd>.

² Jon Frank, “Justice Department Issues Changes to Largest Criminal Justice Grant” (Brennan Center for Justice, New York, NY: Jan. 8, 2016), <http://bit.ly/2dVJXCW>.

³ U.S. Dept. of Justice, Office of Justice Programs, Bureau of Justice Assistance, “Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year (FY) 2016 Solicitation” (May 16, 2016): 6, <http://bit.ly/2cNNR0A>. Referred to hereafter as “Byrne JAG 2016 Grant Solicitation.”

⁴ Byrne JAG 2016 Grant Solicitation, 4.

⁵ White House Office of the Press Secretary, “FACT SHEET: Investing in Public Safety,” news release, March 6, 2009, <http://bit.ly/2cYtriQ> (accessed January 31, 2012). Note also that the JAG Crime Prevention Module developed by the Bureau of Justice Assistance specifically asks questions regarding grantees’ use of funds for juvenile delinquency prevention. U.S. Dept. of Justice, Office of Justice Programs, Bureau of Justice Assistance, “JAG Questionnaires”, accessed Aug. 26, 2016, <http://bit.ly/2cYtuMI>.

⁶ Frank, “Justice Department Issues Changes to Largest Criminal Justice Grant”; U.S. Dept. of Justice, Bureau of Justice Assistance, Justice Assistance Grant (JAG) Program, “Law Enforcement Module” (June 2015), accessed March 28, 2016), <http://bit.ly/2e59TZv>.

⁷ Jon Frank, “Justice Department Issues Changes to Largest Criminal Justice Grant” (Brennan Center for Justice, New York, NY: Jan. 8, 2016), <http://bit.ly/2dVJXCW>.

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- ³⁶ A complete breakdown of county-by-county Byrne grant spending can be found in the *[Annual Report to the Bureau of Justice Assistance, current year]*, compiled by *[Our State Criminal Justice Department]* and available at [\[hyperlink\]](#).
- ³⁷ *[Gina Genius]*, *“Cost Analysis of Our State’s Justice System, current year”* *[Our State University, Current year]*, [\[hyperlink\]](#).
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