



## **Florida Department of Law Enforcement Office of Criminal Justice Grants**

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### **Federal Fiscal Year 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program JAG-Countywide (JAGC) Solicitation**

The Florida Department of Law Enforcement (FDLE), Office of Criminal Justice Grants (OCJG) is seeking applications for the state's Edward Byrne Memorial Justice Assistance Grant Countywide (JAGC) Program. This program focuses on helping state and local agencies improve the criminal justice system.

#### **Eligibility**

Eligible applicants are limited to units of local government. A unit of local government is defined as a city, county, town, township, borough, parish, village, or other general-purpose political subdivision of the state, including Native American Tribes who perform law enforcement functions as determined by the Secretary of the Interior.

The allocations by county for Florida's FY 2020 JAGC program can be found in Appendix C.

#### **Contact Information**

The Office of Criminal Justice Grants (OCJG) main line is (850) 617-1250. For questions regarding this solicitation, ask to speak with the Subgrant Application & Management (SAM) Supervisor, Steve Anderson or the [grant manager for your jurisdiction](#). For technical assistance with the Subgrant Information Management Online (SIMON) system or for issues creating and submitting an application in SIMON, ask for the SIMON Help Desk.

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## Program Description

The Florida Department of Law Enforcement (FDLE) received an award from the United States Department of Justice (USDJOJ) in the amount of \$9,559,372 for the Edward Byrne Memorial Justice Assistance Grant (JAG). FDLE will distribute JAG-Countywide (JAGC) local share funds in accordance with the JAGC distribution provisions of [Chapter 11D-9, Florida Administrative Code](#). This Notice of Funding Opportunity seeks subrecipient applications for activities as they relate to criminal justice.

Please note this program solicitation contains information provided by the USDJOJ regarding specific areas of national focus and the priorities to help maximize the effectiveness of Byrne/JAG funding. Applicants are strongly encouraged to consider these federal priorities when developing their applications.

## Local Planning and Approval Process

For JAG-Countywide each county is allocated a portion of the state's federal award for use by local units of governments within the jurisdiction. FDLE determines each county's allocation through a funding algorithm based on population and crime statistics. The county is then required to complete a local planning process to determine how the allocation will be distributed.

Chapter 11D-9, Florida Administrative Code, requires the unit of government in each county to reach consensus concerning the expenditure of JAG funds allocated to the jurisdiction. Consensus includes agreeing upon the projects to be implemented and the agency or agencies responsible for implementation through the [51% process](#). Each county must document the consensus by submitting letters from at least 51% of the units of government in the county, representing a minimum of 51% of the county's population.

Coordination is vital to meeting this program requirement, and FDLE requests that the county board of commissioners serve as the coordinating unit for all local governments within the county. The Chairman of the Board of County Commissioners is requested to return a Certificate of Participation indicating the county's willingness to serve, and designating a primary point of contact (e.g. [County Coordinator](#)) for coordination efforts. In the event the county declines to serve in this capacity, FDLE will request the governing body of each municipality within the county, in descending order of population, serve as the coordinating unit of government.

## Program Strategy and Purposes

JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice in any one or more of the following purpose areas:

1. Law enforcement programs;
2. Prosecution and court programs;
3. Prevention and education programs;
4. Corrections and community corrections programs;
5. Drug treatment and enforcement programs;
6. Planning, evaluation, and technology improvement programs;
7. Crime victim and witness programs (other than compensation); and
8. Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.

Additionally, JAG funds awarded under this solicitation may be used for purposes identified in BJA's [allowable programs reference guide](#).

## Federal Priority Areas for Funding

BJA issues funding priorities in conjunction with JAG program guidance to ensure recipients and subrecipients are aware of areas of national focus and priority, and maximize the effective use of JAG funds. As a result, Florida passes-through these priority areas to subgrantees in the JAG-Countywide solicitation. The federal JAG funding priorities for FY20 awards and subawards are as follows:

### **Safe Policing for Safe Communities** *(updated July 2, 2020)*

BJA encourages state and local jurisdictions to support projects which incorporate elements of the [President's Executive Order on Safe Policing for Safe Communities \(EOSPSC\)](#). The [EOSPSC](#) seeks to enhance law enforcement practices and build community engagement through: the improvement of officer credentialing; increasing the usage of community-support modeling; the expansion of training and technical assistance required to adopt and implement improved use-of-force policies and procedures (including scenario-driven de-escalation techniques); the retention of high-performing law enforcement officers and recruitment of law enforcement officers who are likely to be high-performing; the provision of confidential access to mental health services for law enforcement officers; and the utilization of programs aimed at developing or improving relationships between law enforcement and the communities they serve (including through community outreach and listening sessions, and supporting non-profit organizations focused on improving stressed relationships between law enforcement officers and the communities they serve).

### **Addressing Violent Crime**

Recognizing that violent crime and the drivers of crime, including felonious possession and use of a firearm and/or gang violence, illegal drug sales and distribution, human trafficking, and other related crimes, vary from community to community, BJA encourages state and local jurisdictions to invest JAG funds to tailor programs and responses to state and local crime issues through the use of data and analytics. BJA also encourages states and local jurisdictions to coordinate with their United States Attorneys and Project Safe Neighborhoods grantees in order to leverage funding for violence reduction projects, and to coordinate their law enforcement activities with those of federal law enforcement agencies such as the Federal Bureau of Investigation (FBI), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the Drug Enforcement Administration, the United States Marshals Service, and the Department of Homeland Security.

### **Enforcing Firearms Laws**

BJA encourages state and local jurisdictions to reduce crime involving the illegal use of firearms through the strengthening and enforcement of state and local firearms possession laws. BJA also encourages the formation of partnerships with federal, state, and local law enforcement and prosecutors to target offenders who use guns in the commission of a crime and who purchase or sell guns illegally. This includes ensuring that persons prohibited from purchasing firearms (see, e.g., 18 U.S.C. § 922(g)) are deterred from doing so by enhancing complete, accurate, and timely access to the FBI's National Instant Criminal Background Check System (NICS).

Additionally, state and local jurisdictions are encouraged to submit all necessary records to the FBI databases in a timely fashion, thereby helping to prevent illegal transfers of firearms to those who are prohibited from owning firearms under current law. Including these missing records will help ensure more accurate and complete background checks.

State, local, and tribal grantees are also encouraged to participate with their U.S. Attorney's offices in [Project Guardian](#), which seeks to reduce gun violence and enforce federal firearms laws across the country. Project Guardian draws on the Department of Justice's earlier achievements, such as the "Triggerlock" program, and it serves as a complementary effort to the success of Project Safe Neighborhoods (PSN). In addition, the initiative emphasizes the importance of using all modern technologies available to law enforcement to promote gun crime intelligence.

### **Officer Safety and Wellness**

The law enforcement safety and wellness issue is an important priority for BJA and DOJ. According to the [2019 Mid-Year Preliminary Law Enforcement Officers Fatality Report](#), released by the National Law Enforcement Officers Memorial Fund, as of the end of June 2019, 66 law enforcement officers had died in

the line of duty. While this is a 35 percent decrease compared to the same time period in 2018, officers continue to be injured and killed at an alarming rate. Firearms-related deaths continued to be the leading cause of law enforcement deaths (27), followed by traffic-related incidents (21). Among the firearms-related deaths, four were while responding to a robbery call, four were ambushed, and three were responding to domestic disturbance calls. Of the traffic-related deaths, 11 were struck while outside of their vehicles; five were crashes involving another vehicle or fixed object; and four were the result of single-vehicle crashes. Based on the current [FBI's Law Enforcement Officers Killed and Assaulted \(LEOKA\) data](#), there were 48 officers feloniously killed in the line of duty during 2019, which is a decrease from the 56 feloniously killed in 2018.

BJA encourages states and local jurisdictions to use JAG funds to focus on tactical officer safety concerns and on the health and wellness of law enforcement officers by providing trainings, paying for tuition and travel expenses related to attending trainings such as those available through the [BJA VALOR Initiative](#) and the [National Officer Safety Initiatives Program](#), and funding health and wellness programs for law enforcement officers. JAG funding may also be used to attend officer safety and wellness conferences that enhance law enforcement education and awareness with the goal of preventing officer injury and/or death.

### **Fentanyl Detection**

Fentanyl continues to be a major public health concern, and exposure in the field poses significant concerns to first responders. The increased prevalence of [fentanyl](#) and other synthetic opioids in the illicit drug market means that first responders need to understand how to protect themselves from exposure in the field. BJA encourages state and local jurisdictions to use JAG funds to keep officers safe by minimizing their exposure to fentanyl and for fentanyl detection equipment, training, and naloxone distribution. Fentanyl is approximately 100 times more potent than morphine, 50 times more potent than heroin. Breathing can stop after ingesting just two milligrams of fentanyl. The [Fentanyl Safety Recommendations for First Responders](#) and the companion training video [Fentanyl: The Real Deal](#) provide unified, scientific, evidence-based recommendations to first responders so they can protect themselves when the presence of fentanyl is suspected during the course of their daily activities such as responding to overdose calls and conducting traffic stops, arrests, and searches.

## **State-wide Funding Priorities**

In order to comply with the statewide strategic planning requirements outlined in Section 502 of the Omnibus Crime Control and Safe Streets Act, FDLE conducted a survey in 2019 to gauge statewide priorities within each program area for funding.

Subrecipients are strongly encouraged to fund projects addressing at least one of the priorities outlined below. If the subrecipient wishes to fund a project that does not address one of the identified funding priorities, a written justification will need to be submitted to OCJG along with the application.

### **Law Enforcement**

- Equipment
- Training
- Traffic Enforcement
- Community Policing & Engagement

### **Prevention and Education**

- Anti-drug Programs
- School Violence Prevention
- Domestic Violence Prevention
- Pharmaceutical & Substance Abuse

### **Prosecution & Courts**

- Pre-trial Diversion
- Recidivism
- Training
- Property & White Collar Crime

### **Corrections and Community Corrections**

- Behavioral Health Services
- Workforce
- Recidivism
- Diversion

### **Drug Treatment and Enforcement**

- Surveillance Equipment
- Drug Enforcement – Single Jurisdiction
- Multi-Jurisdictional Task Forces & Pharmaceutical Partnerships
- First responders, Crisis Response, Stabilization, Antagonists/Detox

### **Planning, Evaluation & Technology**

- Technology Upgrades
- Crime Statistics Reporting
- Investigative & Surveillance Technology
- Grant Management

### **Crime Victim & Witness**

- Behavioral Health Services
- Advocacy Services
- Counseling & Clinical Services
- Children Exposed to Violence, Abuse, & Neglect

### **Mental Health**

- Crisis Intervention Team Training & Support
- Evaluation/Assessments
- Suicide Risk Assessment, Response & Protocols
- Outpatient/Community Based Behavioral Health Programs

FDLE's Byrne/JAG strategic plan is available for review at:

[http://www.fdle.state.fl.us/Grants/Documents/JAGC/SFY2020/2019\\_JAG-Strategic-Plan\\_FINAL.aspx](http://www.fdle.state.fl.us/Grants/Documents/JAGC/SFY2020/2019_JAG-Strategic-Plan_FINAL.aspx)

## **Eligibility Requirements**

Applicants for JAG subawards must comply with all terms and conditions of the federal award and subaward, including those incorporated by reference. This section identifies specific program requirements that must be met as a condition of eligibility to receive federal funds under this program.

Each applicant must be able to document compliance with the following requirements:

[8 U.S.C §1373](#) *Communication Between Governments and the Immigration and Naturalization Service*

[8 U.S.C §1644](#) *Communication Between State and Local Government Agencies and Immigration and Naturalization Service*

[2 C.F.R. §200.318-326](#) *Federal Procurement Standards*

[2 C.F.R Part 200.300-309](#) *Standards for Financial and Program Management*

[2 C.F.R. Part 25](#) *Universal Identifier and System for Award Management (SAM) Requirements*

[28 C.F.R. Part 42](#) *Nondiscrimination; Equal Employment Opportunity; Policies and Procedures*

### **SAM Registration**

To apply for JAG funds in SIMON, an organization and its users must be registered in SIMON and have a Data Universal Numbering System (DUNS) number. The organization must also be registered with the U.S. Federal Government's System for Award Management (SAM) (2 C.F.R. Part 25).

A DUNS number may be obtained by calling (866) 705-5711 or by visiting the Dun & Bradstreet website at: <https://iupdate.dnb.com/iUpdate/viewiUpdateHome.htm>. A DUNS number is usually received within one to two business days.

To create or update your annual SAM registration, go to [SAM.gov](https://sam.gov). The process can take up to 10 business days.

### **Compliance with Applicable Federal Laws**

At the time of application, potential subrecipients are required to certify compliance with all applicable federal laws. All applicants should understand that if the DOJ Office of Justice Programs receives information indicating an applicant may be in violation of any applicable federal law, the applicant may be referred to the DOJ Office of Inspector General (OIG) for investigation. If the applicant is found to be in violation of an applicable federal law by the OIG, the applicant may be subject to criminal and civil penalties, in addition to relevant OJP programmatic penalties, including suspension or termination of funds, inclusion on the high risk list, repayment of expended funds, and/or suspension and debarment.

## **Civil Rights Requirements**

Federal laws prohibit subrecipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, disability, or age in funded programs or activities. All subrecipients, implementing agencies, and contractors must comply with any applicable statutorily-imposed nondiscrimination requirements, which are summarized below:

- **Title VI of the Civil Rights Act of 1964:** Applicants must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E that relate to an equal employment opportunity program. Applicants are advised to use the Office for Civil Rights EEO Reporting Tool at (<https://ojp.gov/about/ocr/eeop.htm>).
- **Equal Employment Opportunity Certification (EEOC):** Applicants must submit an EEO Certification annually within 120 days of the subaward. Failure to submit the required EEO Certification will result in the withholding of grant funds.
- **Limited English Proficiency (LEP):** In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. Part 2000d, applicants in receipt of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with LEP. FDLE strongly advises applicants to have a written LEP Language Access Plan. For more information visit <https://www.lep.gov/>.
- **Equal Treatment for Faith Based Organizations:** Applicants, must comply with all applicable requirements of [28 C.F.R. Part 38](#), "Equal Treatment for Faith Based Organizations", specifically including the provision for written notice to current or prospective program beneficiaries.
- **Americans with Disabilities Act:** Applicants must comply with the requirements of the Americans with Disabilities Act (ADA), Public Law 101-336, which prohibits discrimination on the basis of disability including provision to provide reasonable accommodations.

**Filing a Complaint** - If the applicant or any of its employees, contractors, vendors, or program beneficiaries has a discrimination complaint, they may file a complaint with the applicant, with FDLE, or with the Office for Civil Rights.

Discrimination complaints may be submitted to FDLE at Office of the Inspector General, Post Office Box 1489, Tallahassee, Florida 32302-1489, or online at [info@fdle.state.fl.us](mailto:info@fdle.state.fl.us). Any discrimination complaints filed with FDLE will be reviewed by FDLE's Inspector General and referred to the Office for Civil Rights, the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission, based on the nature of the complaint.

Discrimination complaints may also be submitted to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7<sup>th</sup> Street, Northwest, Washington, D.C. 20531, or by phone at (202) 307-0690.

**Intergovernmental Review:** The FY20 JAG program is subject to Executive Order 12372. As a result, FDLE may provide information regarding subrecipient applications to the state single point of contact to satisfy this requirement.

## **Match**

Match is not required for the JAG program. However, if a subrecipient identifies match on an application that is approved for award, the match portion will be required.

## **Administrative Costs**

Administrative costs/fees are not eligible on JAG subawards.



## Prohibited Uses & Expenditures

JAG funds may not be used (whether directly or indirectly) for any purpose prohibited by federal statute or regulation, including those prohibited by the JAG Program statute ([34 U.S.C. § 10152](#)).

- Supplanting: JAG funds may not be used to supplant state or local funds. See BJA's [JAG FAQs](#) for examples of supplanting.
- Security Enhancements for Non-governmental Entities: JAG funds may not be used for security enhancement or equipment for non-governmental entities not engaged in criminal justice or public safety.
- Additional Restrictions: JAG funds may not be used to pay for any of the following items unless approved by the BJA Director: (1) vehicles, vessels, and aircraft (excluding police cruisers, police boats, and police helicopters); (2) luxury items; (3) real estate; (4) construction projects (other than correctional institutions); and (5) UAS/UAV/US system and equipment. See BJA's [JAG FAQs](#) for more information.

**Note:** Beginning with FY20, FDLE will not approve the purchase of trinkets such as hats, mugs, portfolios, t-shirts, coins, gift bags, etc., with grant funds.

## Other Restrictions Requiring Compliance, Certification, or Prior Approval

### Methamphetamine Mitigation Plans

Any program that funds any portion of methamphetamine laboratory operations or clean-up must complete a Meth Mitigation Plan that includes the nine protective measures or components required by BJA. If an agency's application requests funding related to meth lab mitigation, review the BJA website related to [NEPA compliance](#) (including information regarding meth labs) and contact FDLE's Office of Criminal Justice Grants for further assistance.

### Publications and Other Media

All media created, published, and/or altered using federal grant funds must be reviewed and approved by FDLE and/or BJA prior to release or distribution. This includes any curricula, training materials, brochures, or other written materials that will be published, including web-based materials and web site content, as well as all audio or video materials, including Public Service Announcements. Grantees must submit a draft of each proposed item to OCJG **no later than thirty (30) days prior** to the targeted dissemination date. For items containing videos, a transcript may be provided with screenshots or a description of the visual portion.

All materials publicizing or resulting from award activities shall contain the following statements:

*"This project was supported by Award No. 2020-MU-BX-0006 awarded by the Bureau of Justice Assistance, Office of Justice programs. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the authors and do not necessarily reflect the views of the Department of Justice or grant-making component."*

This requirement does not apply to the purchase or reproduction of existing materials or items created by other agencies or vendors, for example, crime prevention brochures, unless the subrecipient alters the item in any way. Neither does this requirement apply to items serving only to advertise an event or the availability of services. Please contact FDLE's grant's office with questions or to clarify the applicability of pre-approval requirements.

### NEPA

Any improvement, building or construction project will require pre-approval to ensure compliance with the National Environmental Policy Act (NEPA). This may include relatively minor activities such as installing fence posts, security or surveillance cameras, or anchoring any item to the ground. If the grant will fund any activities that may fall under this requirement, review the subaward standard condition related to NEPA



and the section of the BJA web site related to [NEPA compliance](#) and contact FDLE's grant's office for assistance.

### **Sole Source**

If a subrecipient requests to procure goods or services costing \$10,000 or more by sole source to a single vendor, a sole source justification must be submitted to FDLE for approval prior to the obligation of grant funds. For a sole source procurement over the federal Standard Acquisition Threshold (SAT) of \$250,000, written pre-approval must be obtained from both FDLE and DOJ. Subrecipients should submit the completed "Sole Source Justification" [form](#) with the application or as soon as the procurement method is known.

Sole source approval applies to the amount of the total procurement, regardless of the amount of federal investment in the purchase. Before submitting a request for a sole source procurement, applicants should carefully review the conditions governing this type of procurement (see [2 C.F.R. § 200.320\(f\)](#)).

### **Conference/Meeting/Training Costs**

OJP policy and guidance encourages minimization of conference, meeting, and training costs; sets cost limits, which include a general prohibition of all food and beverage costs; and requires prior written approval of most conference, meeting, and training expenditures. Subawards requesting to use grant funds for meetings, trainings, or conferences may be required to complete and submit an OJP event submission form upon request from FDLE and/or OJP.

### **Duplication of Networks (updated September 10, 2020)**

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the recipient can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

### **Entry of Records into State Repositories**

As appropriate and to the extent consistent with law, a condition will be imposed that would require the following: Any program or activity that receives federal financial assistance under JAG that is likely to generate court dispositions or other records relevant to NICS determinations, including any dispositions or records that involve any alien who is illegally in the United States (18 U.S.C. § 922(g)(5)(A), must have a system in place to ensure that all such NICS-relevant dispositions or records are made available in a timely fashion.

### **Body Armor**

Body armor purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the following requirements are met:

- The body armor must have been tested and found to comply with the latest applicable National Institute of Justice ballistic or stab standards.
- The body armor purchased must be made in the United States.
- The body armor purchased with JAG funds must be "uniquely fitted vests," which means protective (ballistic or stab-resistant) armor vests that conform to the individual wearer to provide the best possible fit and coverage through a combination of: (1) correctly sized panels and carrier determined through appropriate measurement and (2) properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features. Note that the requirement that body armor be "uniquely fitted" does not necessarily require body armor that is individually manufactured based on the measurements of an individual wearer. In support of OJP's efforts to improve officer safety, the American Society for Testing and Materials (ASTM) International has made available the [Standard Practice for Body Armor Wearer Measurement and Fitting of Armor](#) (Active Standard ASTM E3003) at no cost. The [Personal Armor Fit Assessment checklist](#) is excerpted from ASTM E3003.

A JAG subrecipient proposing to use FY20 funds to purchase body armor must provide FDLE with a [BVP Certification](#) indicating each law enforcement agency receiving body armor has a written "mandatory wear"

policy in effect. For more information, review the [FAQs related to the mandatory wear policy and certifications](#).

### **Body Worn Camera (BWC) Purchases**

JAG funds may be used to purchase equipment or to implement and/or enhance BWC programs. Subrecipients using JAG funds for BWC programs must certify the law enforcement agency receiving funds has policies and procedures in place relating to equipment use, data storage, privacy, victims, access, disclosure and training.

Any subrecipient intending to use grant funds for BWC-related expenses must provide FDLE with a [BWC Certification](#). A subrecipient without policies and procedures in place at the time of application will have funds withheld until a certification is submitted. Information regarding BWC policies, resources and best practices can be found at: <https://www.bja.gov/bwc>.

### **DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database**

If JAG funds will be used for DNA testing of evidentiary materials, any resulting eligible profiles must be uploaded to the Combined DNA Index System (CODIS) by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior written approval from FDLE's grants office and BJA.

In addition, funds may not be used to purchase DNA equipment and supplies when the resulting DNA profiles from such technology are not acceptable for entry into CODIS.

### **Interoperable Communications**

Subrecipients utilizing FY19 JAG funds to support emergency communications activities should review the most recent [SAFEKOM Guidance](#). This includes the purchase of interoperable communications equipment and technology such as voice-over-internet-protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) waiver order.

Additionally, to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, subrecipients are required to comply with DOJ's [Global Justice Information Sharing Initiative](#) guidelines and recommendations. All subrecipients shall document planned approaches to information sharing and describe their compliance, or provide detailed justification for why an alternative approach is recommended.

Finally, JAG applicants proposing projects for interoperable communications should consider the use of First Responder Network Authority (FirstNet) Program. FirstNet's statutory mission is to take all actions necessary to ensure the establishment of a nationwide public safety broadband network (NPSBN). For more information, visit [www.firstnet.gov](http://www.firstnet.gov).

### **Employment Eligibility Verification**

Subrecipients must ensure that as part of the hiring process for any position that is or will be funded (in whole or in part) with award funds, the employment eligibility of the individual being hired is properly verified in accordance with the provisions of 8 U.S.C. 1324a(a)(1) and (2). The subrecipient may choose to participate in, and use E-Verify ([www.e-verify.gov](http://www.e-verify.gov)), provided an appropriate person authorized to act on behalf of the subrecipient entity uses E-Verify to confirm employment eligibility for each position funded through this award.

### **Determination of Suitability to Interact with Minors**

Any subrecipient indicating that a purpose of some or all of the activities to be carried out under the subaward is to benefit a set of individuals under 18 years of age, must make determinations of suitability before certain individuals may interact with participating minors. The requirement applies regardless of an individual's employment status. The details of this requirement are posted on the OJP website at <https://ojp.gov/funding/Explore/Interact-Minors.htm>.

## State and Federal Transparency

Subaward agreements and information supplied to FDLE for grant management and payment purposes will be used to report to the following mandatory state and federal transparency systems.

### **Florida Accountability and Contract Tracking System (FACTS)**

This grant agreement, all corresponding information and a copy of the grant document, is provided to FACTS to meet requirements under Chapter 2013-54 and 2013-154 Laws of Florida.

### **Exemption from FACTS**

The SIMON grant management system allows for partial or complete contract exemption from FACTS for those agreements containing information exempt from public records. Please be aware, in the event that your agency's submission contains confidential and/or exempt information prohibited from public dissemination under Florida's Public Records Law, Chapter 119, Florida Statutes, the subrecipient agency bears the responsibility for applying proper redactions. Otherwise, any and all records submitted may be released without redactions.

### **Federal Funding Accountability and Transparency Act (FFATA)**

The Federal Funding Accountability and Transparency Act (FFATA) was signed on September 26, 2006, with the intent to empower every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the government. The FFATA legislation requires information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website, which is [USASpending.gov](http://USASpending.gov). FDLE is required to report subaward data to FFATA as well.

## Length of Award and Distribution of Funds

JAG-Countywide awards will be approved for a six (6) to eighteen (18) month project period between October 1, 2020 and September 30, 2022.

Grant funds are distributed on a cost reimbursement basis, with the ability to advance, for satisfactory performance of eligible activities. Payment requests can be submitted on a monthly or quarterly basis and should include total expenditures for the reporting period. Reimbursements will be processed in conjunction with the receipt and review of programmatic performance reports to determine successful completion of minimum performance deliverables as specified in the agreement.

## Application Instructions and Deadline

**Failure to follow application instructions may result in the incursion of a special condition at the time of award.**

In order to apply, the organization and user(s) must be registered in FDLE's electronic grant system (SIMON). For questions or issues related to organization or user accounts, please contact the SIMON Help Desk at (850) 617-1250 or [criminaljustice@fdle.state.fl.us](mailto:criminaljustice@fdle.state.fl.us).

Access codes are required to begin an application in SIMON. The SIMON announcement code for FY20 JAG subawards are provided to each County Coordinator designated and approved by the County to facilitate the application process for each jurisdiction. OCJG updates the contact information for designated county coordinators on the website. Applicants are encouraged to contact their County Coordinators to obtain the necessary information required to apply.

Applications must be submitted via FDLE's online grants management system, SIMON, which can be accessed at <http://simon.fdle.state.fl.us> by **5:00 P.M. (EST) on Friday, May 28, 2021**.

Please see **Appendix A: Application Timeline** for other important dates.

## **Application Requirements**

Applications submitted under this solicitation must adhere to federal, state and program specific requirements. For more information related to properly developing and writing an application to meet many of the state and federal contract requirements, please review the [OCJG Grant Writing Guide](#).

For FY20, subrecipients will be required to complete the following documents at the time of application; failure to do so may result in the withholding of funds until items are received.

### **Subaward Management Capabilities and Compliance Questionnaire**

All applicants are required to complete the [Subaward Management Questionnaire](#), and submit to OCJG with their application. FDLE will use this form to validate a subrecipient's eligibility to apply, receive, and maintain a federal JAG subaward. Additionally, this validation will allow FDLE to expedite the monitoring process and ensure all subrecipients are in compliance with program requirements.

### **Lobbying, Debarment and Drug Free Workplace Certification**

Subrecipients are not permitted to use federal funds, directly or indirectly, in support of any lobbying activity. A subrecipient receiving or requesting an award exceeding \$100,000 must certify compliance with this requirement.

Additionally, a person/agency that is debarred, suspended, declared ineligible or is voluntarily excluded is prohibited from receiving federal funds under this grant program. All subrecipients must certify the subgrantee organization, and any vendor or lower tiered subrecipient, is eligible to receive these funds.

In compliance with the Drug-Free Workplace Act of 1988, state agencies applying for federal grant funding under this program must certify compliance with establishing and maintaining a drug-free work environment.

Failure to submit the ["Lobbying, Debarment and Drug Free Workplace Certification"](#) to FDLE with the application may result in a withholding of funds condition on the subaward until the requirement is satisfied.

### **Contractual Services Subrecipient vs. Contractor Determination**

Subrecipients utilizing funds in the Contractual Services budget category must adhere to the subcontracting requirements below. All subrecipients should review the ["OJP Subaward vs. Procurement Toolkit"](#) for information regarding the two types of subcontracting.

1. Any applicant using grant funds in the Contractual Services budget category must complete and submit a ["Subrecipient vs. Contractor Determination Checklist"](#) for each contracted services item to FDLE with the application.
2. The application must contain detailed information regarding the type of subcontracting (subrecipient or contractor) and the method of procurement for the subcontract.
3. An applicant proposing to enter into a subrecipient contracting relationship must request approval to subaward in the grant application and be able to adhere to and document compliance with requirements and provisions for pass-through entities in [2 C.F.R. §200.331](#).
4. Applicants entering into a contractor relationship must adhere to the local unit of government's written procurement policies and procedures to the extent they are consistent with or more stringent than the procurement standards outlined in [2 C.F.R. § 200.318-326](#).

### **Law Enforcement Agency Training Information**

Any law enforcement agency receiving funds under a JAG subaward must submit performance accountability metrics data for the **2020 calendar year** related to training on: use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public. These metrics will be collected via questionnaire from FDLE's grants office and reported to BJA's Performance Management Tool (PMT).

## **Information regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE)**

Each applicant must respond to the following questions within their application:

- 1) Does your jurisdiction have any laws, policies, or practices related to whether, when, or how employees may communicate with DHS or ICE?
- 2) Is your jurisdiction subject to any laws from a superior political entity (e.g. a state law that binds a city) that meet the description in question 1?
- 3) If yes to either:
  - Please provide a copy of each law or policy.
  - Please describe each practice.
  - Please explain how the law, policy, or practice complies with section 1373.

Note: Responses to these questions must be provided by the applicant as part of the JAG application. Further, the requirement to provide this information applies to all tiers of JAG funding and for all subawards made to state or local government entities, including public institutions of higher education. All subrecipient responses must be submitted to FDLE. Responses to these questions are not required from subrecipients that are a tribal government/organization, a nonprofit organization, or a private institution of higher education.

### **Death in Custody Reporting**

In FY19, OCJG began collecting data regarding in-custody deaths, in accordance with the Death in Custody Reporting Act (DCRA), which requires states and federal law enforcement agencies to report certain information to the Attorney General regarding the death of any person during interactions with law enforcement officers or while in custody. For the purposes of this requirement, a reportable death is **any** death – including deaths attributed to suicide, accident, or natural causes – that occurred during interactions with law enforcement personnel or while the decedent was in custody, under supervision or under the jurisdiction of a state or local law enforcement or correctional agency, such as a jail or prison.

As a requirement of the state's Edward Byrne Memorial Justice Assistance Grant (JAG) award, Each quarter, subrecipients must submit the [DCRA Questionnaire](#) identifying all reportable deaths occurring in their jurisdictions during the reporting period. Information to be provided will include:

- The decedent's first, middle, and last name, gender, race, ethnicity, and year of birth
- The date, time, and location of the death
- Type of facility in which the death occurred
- Date of facility admission/arrest
- The law enforcement or correctional agency involved
- Manner of death
- Brief description of circumstances of death

We recognize that all of the requested information may not be available at the time of reporting. Please provide as much information as possible for each reported death.

## **Standard Conditions**

The standard conditions provide detailed compliance requirements for subrecipients upon signed acceptance of the subaward. It is imperative all persons involved with this subaward read the standard conditions. Failure to comply with the provisions outlined in the standard conditions may result in project costs being disallowed.

## **Appendix A**

### **Application Timeline**

June 29, 2020	Florida received notice of final state JAG appropriation from U.S. Department of Justice.
July 17, 2020	FDLE Office of Criminal Justice Grants (OCJG) submitted the final State of Florida application for FY20 Byrne JAG funding.
November 24, 2020	Florida accepted the state's FY20 federal JAG award.
April 1, 2021	OCJG released JAGC subgrant solicitation on the department's website; Notification emails sent to chief officials.
April 30, 2021	Deadline for BOCCs to respond to OCJG with Certification of Participation and designation of County Coordinator.
Ongoing	Upon receipt of BOCC COP and County Coordinator designation; OCJG provides County Coordinator with application information and SIMON announcement code to distribute to all application managers in their respective counties.
May 14, 2021	Deadline for County Coordinators to submit required 51% letters to OCJG advising of applications that will be submitted from agencies within their respective counties.
May 28, 2021	Deadline to submit applications in FDLE's electronic grants management system (SIMON).

## **Appendix B**

### **Application Checklist**

#### **What Each County Should Do - Pre-Application**

- ☐ Submit a signed *Certificate of Participation* designating a County Coordinator
- ☐ Assure all 51% letters for the county have been completed and submitted to OCJG

#### **What Each Applicant Should Do – Pre-Application**

- ☐ Acquire a DUNS Number
- ☐ Acquire or renew registration with SAM.gov
- ☐ For new users, request SIMON account
- ☐ For existing users, verify SIMON username/password and contact information
- ☐ Obtain an *EEO Certification* via EEO Reporting Tool
- ☐ Read the FDLE subaward Special Conditions and DOJ Grants Financial Guide

#### **Additional Requirements**

- ☐ Complete the Subaward Management Capabilities and Compliance Questionnaire
- ☐ Complete a Lobbying, Debarment and Drug Free Workplace Certification (for state agencies and local units of government, if applicable)
- ☐ Complete a Subrecipient or Contractor checklist for each cost element requested in the Contracted Services budget category
- ☐ Complete a Body Armor Mandatory Wear Policy Certification (if applicable)
- ☐ Complete a Confidential Funds Certification (if applicable)
- ☐ Complete a Sole Source Justification form for sole source purchases of \$10,000 or more (if applicable)



## Appendix C

### FY20 JAGC County Allocation

<b>County</b>	<b>County Allocation</b>	<b>County</b>	<b>County Allocation</b>
Alachua	\$71,953	Lake	\$78,204
Baker	\$23,107	Lee	\$162,684
Bay	\$81,291	Leon	\$90,077
Bradford	\$34,834	Levy	\$32,005
Brevard	\$131,689	Liberty	\$19,848
Broward	\$348,691	Madison	\$41,934
Calhoun	\$19,708	Manatee	\$103,811
Charlotte	\$58,368	Marion	\$84,659
Citrus	\$39,679	Martin	\$53,186
Clay	\$48,611	Monroe	\$55,199
Collier	\$84,138	Nassau	\$39,917
Columbia	\$38,642	Okaloosa	\$67,078
Dade	\$551,650	Okeechobee	\$58,352
Desoto	\$32,596	Orange	\$292,766
Dixie	\$23,274	Osceola	\$82,691
Duval	\$239,400	Palm Beach	\$277,983
Escambia	\$105,334	Pasco	\$106,511
Flagler	\$35,748	Pinellas	\$236,358
Franklin	\$34,832	Polk	\$168,323
Gadsden	\$24,390	Putnam	\$60,054
Gilchrist	\$18,687	Santa Rosa	\$43,333
Glades	\$14,806	Sarasota	\$94,379
Gulf	\$37,527	Seminole	\$112,827
Hamilton	\$43,393	St. Johns	\$53,560
Hardee	\$34,432	St. Lucie	\$79,881
Hendry	\$64,820	Sumter	\$43,990
Hernando	\$49,480	Suwannee	\$31,137
Highlands	\$50,648	Taylor	\$34,417
Hillsborough	\$288,815	Union	\$13,424
Holmes	\$23,446	Volusia	\$129,365
Indian River	\$51,033	Wakulla	\$19,840
Jackson	\$23,355	Walton	\$28,161
Jefferson	\$29,627	Washington	\$26,060
Lafayette	\$19,206		
		<b>Total</b>	<b>\$5,599,224</b>