

INTER

OFFICE

MEMO

To: HARRISBURG CITY COUNCIL
From: Michael J. Parker, City Clerk
LEGISLATIVE APPROVAL FORM

Date:

LEGISLATIVE APPROVAL FORM/CERTIFICATE OF ACCEPTANCE

BILL NO. -2024 RESOLUTION NO. 20-2024

THE ABOVE LISTED ITEM WAS WRITTEN AND PREPARED FOR FINAL INTRODUCTION AT THE HARRISBURG CITY SOLICITOR'S OFFICE ON:

/s/Donald C. Styer III
Assistant City Solicitor

March 22, 2024
Date

Requested by Department/Bureau: Police/Grants

Department/Bureau Contact Person: DC Kenneth Young/Rebecca Vollmer

For Action on or before:

The attached was received in the Office of the City Clerk for introduction on

Received by: Jared Truesdale

Date: 3/22/24

RESOLUTION NO. 20 - 2024

Moved by: Councilman Jones.

A Resolution ratifying the 2023 Federal Justice Assistance Grant Application and authorizing the City of Harrisburg to enter into a subrecipient agreement for Dauphin County to administer Sixty-One Thousand Five Hundred Ninety-Four dollars (\$61,594.00) in awarded grant funds.

WHEREAS, the Federal Justice Assistance Grant (“JAG”) Program funds are the primary source of federal criminal justice funding to state and local jurisdictions to support activities which further prevent crime based on local need, such as staffing victim/witness advocates and law enforcement software; and

WHEREAS, the City of Harrisburg (the “City”) and Dauphin County (the “County”) co-applied for JAG funds from the U.S. Department of Justice, Bureau of Justice Assistance, and Office of Justice Programs; a true and correct copy of the grant application is attached hereto as Exhibit “A”; and

WHEREAS, the City and County are the recipients of JAG funds and have been awarded \$61,594.00 for 2023; and

WHEREAS, the City has authorized the County to act as the administrator of the JAG program; and

WHEREAS, the City desires to enter into a federally mandated subrecipient agreement with the County; a true and correct copy of the proposed subrecipient agreement is attached hereto as Exhibit “B.”

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF HARRISBURG, that the 2023 Federal Justice Assistance Grant Application is hereby RATIFIED. Additionally, the City of Harrisburg is hereby authorized to negotiate and enter into a subrecipient agreement with Dauphin County to administer the 2023 JAG program funds in the amount of Sixty-One Thousand Five Hundred Ninety-Four dollars (\$61,594.00).

BE IT FURTHER RESOLVED that the Mayor, City Controller, and other appropriate City officials are authorized and directed to take all steps necessary to further effectuate the purpose of this Resolution.

I second this Resolution: Councilwoman Davis.

EXHIBIT A

JUST GRANTS APPLICATION CASE ID:
JUST GRANTS COMPETITION IDENTIFICATION NUMBER:
APPLICATION NAME:
GRANT PACKAGE NUMBER:
UEI:
OPPORTUNITY NUMBER:

A-480642
C-BJA-2023-00105-PROD
FFY2023 Local JAG Grant
GRANT13962135
RJSMZ9ENFXB8
O-BJA-2023-171790

Program Abstract

The Dauphin County 2023 JAG Grant allocation will be spent to ensure crime victim advocates are placed in the Harrisburg City (HPD) Police Department. Victim advocates will reach out to crime victims and assist throughout the victim's time in the criminal justice system. HPD will also pay for a Crimewatch website fee for service to enhance technology available for officers as they engage in Community Policing. Funds will again be requested to support Crimewatch for the city, a software that ensures the community has access to reported crimes that have occurred in their area and a platform to contact police, among other software initiatives, including NIBRS maintenance and CODY COBRA.

Lower Paxton Township and Swatara Township Police Departments will use their funding for similar technology related initiatives, such as items related to the upkeep of data systems that ensure feedback provided to newly training officers is managed, as well as license plate readers as part of a countywide initiative.

JAG Project Identifiers:

Computer Software/Hardware, Court Advocacy, Data Sharing/Linkage

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2023 Public Review Attachment:

The Fiscal Year 2023 JAG application, along with Memoranda of Understanding, was presented at the Dauphin County Board of Commissioners Meeting on August 30th, 2023. All residents are encouraged to attend the weekly Board of Commissioners Meeting which is held every Wednesday morning at 10:00AM, on the 4th Floor of the Dauphin County Administrative Building. The grant allocations and proposed uses were discussed, and no public objection was noted to the proposed expenditure of these funds. Information regarding this grant was also made available at the August 24th, 2023 advertised meeting of the County Criminal Justice Advisory Board Meeting of Dauphin County and at the Dauphin County Prison Board of Inspectors meeting held on August 23rd, 2023. A 30-Day certification of public review for these funds will be sent after September 30th, 2023, in accordance with JAG grant funding guideline award requirements.

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Edward Byrne Memorial
Justice Assistance Grant
FY 2023 Local Solicitation

Program Narrative

Submitted:
Dauphin County Criminal Justice Advisory Board
Dauphin County Courthouse, Rm. 205
101 Market Streets
Harrisburg, PA 17101

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Applicant Information Page

A. Applicant Information:

1. Catharine Kilgore, Criminal Justice Advisory Board Administrator
2. Dauphin County Courthouse,

101 Market Street

Office of the District Attorney, Room 205

Harrisburg, PA 17101
3. Phone: (717) 780-6767
4. E-mail: ckilgore@dauphincounty.gov

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Victim Witness Assistance Program - Harrisburg City Police Department - Problem:

Dauphin County, Pennsylvania desires to continue to fund Victim/Witness Assistance Program advocates to better serve the residents of all local municipalities whenever needed. The county's geographic composition and population concentrations are primary factors that often cause excessive delays in responding to situations requiring an advocate. Although an overwhelming majority of the county's criminal activity occurs within a 7-mile radius of Harrisburg, the county and state seat, there remains a need for advocates to be positioned for timeliest response throughout the county. The current staff and executive director of the Victim/Witness Assistance Program are funded by the county's annual budget. There is no possibility of adding advocates to the staff from the county's budget within the next year.

Goals:

The request for funding from this announcement will be used to retain and continue to train existing staff for Dauphin County Victim/Witness Assistance Program. Funded under this solicitation, one (1) full-time, crime victim advocate position will maintain an office within the Harrisburg City Police Department, covering the territory representing the greatest need for advocates. This advocate provides much needed crisis intervention and translation services to non-English speaking victims. The executive director of the Dauphin County Victim-Witness Assistance Program oversees the entire department of advocates ensuring reporting requirements are completed, staff oversight is performed daily, and the general overall operations of the agency are intact.

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Inter-agency Cooperation:

The Victim/Witness Assistance Program is an integral part of Dauphin County's criminal justice system. Situations involving either a victim or witness many times require an advocate to support individuals, groups or families when taking part in court proceedings. Further, the advocates explain the procedures implemented and the need for actions taken by offices involved in proceedings, on a case-by-case basis, to the individuals involved. They provide accompaniment to all court proceedings, arrange transportation and daycare, intercede with employers and schools, assist with relocation if necessary, assist with crime victims compensation, notify victims of prisoner release or escape 24 hours a day and any other services the victims and families need. As a result, the office cooperates daily with all county arresting agencies, the judiciary, prosecutors and defenders, public and private. While communication exists between the Executive Director and other department heads, the interaction of the Victim/Witness Assistance Program is chiefly accomplished during meetings of the Dauphin County Criminal Justice Advisory Board (CJAB). This board includes members of the judiciary, county commissioners, Adult & Juvenile Probation, the District Attorney (chairman), the warden of county jails, the Sheriff, court administrators and the president of Dauphin County's police chiefs, among others. The CJAB allows a forum for accomplishing county-wide initiatives through discussion and prevents duplication of efforts or wastes of resources by agencies involved. The current CJAB Strategic Plan calls for continued efforts to address violence and the impact of violence in the city and surrounding areas, thus the use of these funds for the purposes specified are supported via a cross-collaborative criminal justice planning process. Use of JAG funds for items identified through a criminal justice planning process and leveraging resources are priority areas for the current JAG funds solicitation.

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Maintenance Plan:

The advocate hired and trained by the award of this grant are only partially maintained by other funding sources, following exhaustion of monies provided by this announcement. In 2013, VWAP faced a 62% reduction in state and federal government funding support. Funding sources such as the Victims of Juvenile Offenders (VOJO), Victims of Crime Act (VOCA), and the Pennsylvania Rights and Services Act (RASA) funds continue to be reduced or level-funded from years when significant reductions were handed down. The efforts of the advocates currently in these positions offset existing costs associated with overtime and streamline the initial response phase of the advocacy program. Due to this period of fiscal austerity, specific sources for future funding of these positions have been identified, and work continues to secure them. VWAP works diligently to obtain all sources of available funding for its critical work in the community.

Harrisburg City Police Department – 2023 JAG Program Narrative:

The Bureau of Police provides law enforcement and crime prevention services within the City of Harrisburg. The Bureau currently holds Pennsylvania State Accreditation and was accredited by the Commission on Accreditation of Law Enforcement Agencies (CALEA) in the recent past. The commanding officer of the Bureau is the Chief of Police. The Office of the Police Chief is responsible for the management of available resources to ensure that the Bureau's mission, goals and objectives are achieved. Functions/units operating within the Office of the Chief include Street Crimes, Traffic Safety, Animal Control, Weed and Seed, and Internal Affairs. The Police Chief oversees all operations of the Bureau with assistance from three Captains, each commanding one of the Bureau's three primary divisions: Uniformed Patrol.

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Criminal Investigation; and Technical Services. A new Chief of Police was named in late 2013, and the current Chief is directing his staff to implement Community-Based Policing strategies to impact crime in the City. Recently, Harrisburg City was awarded a COPS Grant to support these efforts, and the requests as part of this project are related to the on-going commitment to the goals of this unit.

The Chief is monitoring presence of foot patrols by officers in the field, for example, by encouraging them to complete their paperwork in hot spots in the community and by completing logs of foot patrols in which they engage. The Chief and Deputy Chief are engaged in the Dauphin County Criminal Justice Advisory Board.

The Uniformed Patrol Division is primarily comprised of three (3) platoons of uniformed patrol officers. These officers respond directly to calls for service and conduct routine patrols within the City's seven (7) police districts. In addition to the three (3) platoons, the Special Services, Abandoned Vehicle, Foot Patrol, K-9, and Public Housing Units operate within the Uniformed Patrol Division. The Criminal Investigation Division is charged with investigating and resolving crimes referred by officers in the Uniformed Patrol Division. The Division is staffed by detectives and investigators who operate within the following units: Adult Offenders; Juvenile Offenders; Vice/Organized Crime; Arson; Special Operations; and Forensics. The units within the Criminal Investigation Division frequently collaborate with regional and state partners, particularly the Dauphin County District Attorney's Office, in ongoing criminal investigations and prosecutions.

The Technical Services Division provides a wide variety of administrative and operational support functions for the Bureau. The Division is staffed by uniformed and civilian personnel who operate within the following units: Training; Property Management; Court

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Liaison/Special Events; Background Investigations; and Accreditation/Crime Analysis. The Captain of the Technical Services Division also manages the Records Management Center and Communication Center. In addition to Police Headquarters at the City Government Center, the Bureau maintains three (3) community policing stations throughout the City. These stations are not regularly staffed by Bureau employees, but rather opened by patrol officers on a rolling, as-needed basis. One (1) community policing station is partially staffed at present by civilian volunteers. The City continues to re-evaluate its use of Community-Oriented and hot-spot policing methods for improvement.

Statement of Need:

The on-going financial turmoil and instability due to the city's former Act 47 Status, makes ensuring the peace of mind for citizens through clear and consistent communication among law enforcement officers an obvious method to further public safety. According to Wikipedia, the Financially Distressed Municipalities Act (*Act of 1987, P.L. 246, No. 47*), also known as Act 47, empowers the Pennsylvania Department of Community and Economic Development to declare certain municipalities as financially distressed. It provides for the restructuring of debt of financially distressed municipalities, limits the ability of financially distressed municipalities to obtain government funding; authorizes municipalities to participate in Federal debt adjustment actions and bankruptcy actions under certain circumstances; and provides for consolidation or merger of contiguous municipalities to relieve financial distress. When the fiscal plan of the city was unveiled on June 14, 2011, it was noted by City Council that, "the City of Harrisburg is facing a direct, immediate and grave financial crisis. The financial crisis is so severe that the City teeters uncomfortably on the verge of bankruptcy that could be triggered at any moment by parties outside its control. This crisis threatens the ability of the City

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to do what cities exist to do - provide for the health, safety and welfare of its residents..."

(<http://www.wgal.com/news/28219949/detail.html#ixzz1III1Go3pG>)

In September, 2013, a financial recovery plan was approved by the courts for the City of Harrisburg, and by December, 2013, two (2) of four (4) major transactions were carried out to ensure that Harrisburg City has a balanced budget through 2016. The city continues to make strides forward in addressing its finances and excited receivership in 2014.

Dauphin County is one of the oldest and most influential counties in the development of our nation. Located in south central Pennsylvania, this 557.7-square-mile area is approximately 100 miles west of Philadelphia and 200 miles east of Pittsburgh. Home to approximately 270,000 people, according to the US Census Bureau, the population of Dauphin has grown by 6.3% since the 2000 census. This rate of growth is significantly higher than the state average 3%. When looking at communities and rates of criminal activity, among other geographic considerations such as major transportation corridors, there is general agreement among criminal justice practitioners that age is inversely related to criminality. Regardless of economic status, marital status, sex, race and other demographic and socio-economic factors, younger people engage in criminal activity more often than older people. Official statistics also tell us that young people are arrested at a disproportionate rate to their numbers in the population, and victimization surveys tend to support this conclusion. Moreover, statistics show that violent crime rates for offenders peak in the late teens and gradually decline. Overall, the peak years for criminal behavior are between 15 and 24 years of age. 29%, more than ¼, of the local population in Dauphin County is under the age of 24.

Dauphin County also has the highest recidivism rates in Pennsylvania according to the 2013 PA Department of Corrections Recidivism Report; per capita, it also has the highest rates

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of crime in the state. The County has seven (7) State Community Corrections Centers (CCC's) within Harrisburg City limits, more than any other County or City in PA. In addition, the local jail – Dauphin County Prison (DCP) – is over-crowded with local offenders. A pre-trial detainee will spend an average of 137 days in DCP awaiting release; 76% of those incarcerated in the facility eventually return. Disproportionately, those in DCP are young (18-29), African American, and Males. To further provide a framework for this issue, purely for the scope of the need from an incidence of crime perspective, as recorded in the PA Uniform Crime Reporting System and presented in the Dauphin County Re-entry Plan:

-The rate of offenses reported per 100,000 population was 2,863 in Dauphin County for 2013, which, next to Philadelphia County, is the highest in the Commonwealth. Dauphin County has a population of 275,710 residents while Philadelphia County has a population of 1,580,863 residents.

-Thirty-five percent (2,685) of offenses reported by Dauphin County law enforcement agencies in 2013, were reported by the Harrisburg City police department.

-There were 1,144 violent crimes per 100,000 residents in Harrisburg for 2014; a rate that is higher than that of Philadelphia, and many cities across the country.

-In 2013, with its 49,000 residents, the City was ranked the 25th most violent city in the nation by NeighborhoodScout.com, a website that reviews Uniform Crime Reporting (UCR) system data and rates areas as safe – unsafe – places to live. This rank is worse than the safety ranking in 2012 for Harrisburg, which was 30th. In 2013, York City was ranked 33rd up, from 18th in 2012, and Philadelphia, with a population almost 32 times greater than Harrisburg City, ranked a distant 60th and had dropped 10 places from its ranking of 50th in 2012. When reviewed using

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2016 UCR crime data, Harrisburg still ranks as one of the most 100 most dangerous cities in the United States and has the highest per capita crime rate in the Commonwealth of Pennsylvania.

-In 2016, people have a 1-in-93 (violent crime per 1,000 residents is 10.76%) chance of being a victim of a violent crime in Harrisburg, compared to the average Pennsylvanian, who has a 1 in 287 chance of being a violent crime victim. The rate of violent crime per 1,000 residents in Philadelphia, with a population more than five (5) times larger than Dauphin County, is 9.92%. Violent offenses tracked included rape, murder and non-negligent manslaughter, armed robbery, and aggravated assault, including assault with a deadly weapon. And this is based on an analysis of FBI reported crime data.

-Harrisburg City Residents have a 1-in-26 chance of being a victim of property crime, such as burglary, in Harrisburg, according to the survey. The state average is a 1-in-46 ratio.

Further framing the population of Dauphin County in more concrete terms, according to the United Way of the Capital Region Community Assessment, in 2014:

Poverty Rate

13.6%, rising by 1/3 since 2007, twice state rate of increase. 21.5% children live in poverty, 29% of residents below self-sufficiency rate (2x federal poverty rate.)

Income/Employment

Median household income 2012 \$53,000, a decline of 6% since 2007.

Unemployment rate below state average.

The number of SNAP participants in the Capitol region (Dauphin, Cumberland, Perry counties) increased by 255% in the last decade.

Education

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About 10% of adult residents do not have a high school degree or beyond.

75% of children do not have access to quality early-childhood education.

High School drop- out rates are above the state average with Harrisburg city schools having a 12% rate.

Health

32% of pregnant women do not receive any prenatal care.

Nearly 1/3 of Dauphin County adults surveyed reported they had a lack of social and emotional support.

The number of “poor mental health days” reported by residents is above the state average.

Ultimately, with the assistance of technology, and other strategies employed such as violence incident reviews, there is significant work being done in this community to expand opportunities to address and understand local violence dynamics and engage in prevention and intervention initiatives, such as GVI (Group Violence Intervention).

The Dauphin County Criminal Justice Advisory Board (CJAB) is a county-wide advisory body on criminal justice issues. Members include department heads with varying roles in the criminal justice system. It is the responsibility of the Board to examine the county’s criminal justice system to gain understanding and insight and identify where improvements can be made. Still, even with the proactive approaches to criminal case management that the county has implemented – including Intermediate Punishment/Diversion-Treatment Programs such as Team MISA (Mental Illness Substance Abuse), Drug, and Veterans Court, the Work Release Center, Unified Records Management Systems for ALL County Police, Re-Entry Planning, implementation of a Risk & Needs Assessment Tool (ORAS) in 2014 and new Pretrial Risk Screenings in 2019, and a strong collaborative history among the Criminal Justice Advisory

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Board (CJAB or Board) stakeholders – the number of overall cases being processed through the criminal justice system has continued to steadily rise each year. Each case constitutes valuable time to investigate and prosecute but does not assist the county in understanding where most types of crime happen and how they are interrelated to others within the county’s jurisdiction. The County’s prison generally runs at about 126 percent of rated capacity with 77 percent of annual admissions being pre-trial detainees.

Almost 40% of the reported crime in Dauphin County occurred in the jurisdiction of Harrisburg City. Even when compared with other Pennsylvania cities of the Third Class, Harrisburg has not shown a consistent reduction in violent crime experienced in other areas of the Commonwealth. According to the Offense Count in the PA UCR system, the city of Harrisburg logged 22 homicides in 2022, the highest number of annual killings in at least 36 years. The total represented a 69% increase from 2021 (13 Offenses counted), but almost equivalent to the 19 killings in 2020, at a time when cities across the country saw violence spike during the first year of the pandemic. Harrisburg’s rising total in 2022 bucked a national trend where big cities saw drops in killings, including in Philadelphia (<https://whyy.org/articles/philadelphia-homicides-2022-gun-violence/>), New York City, Baltimore, and Washington D.C.. As of August, 2023, 8 murders are recorded as offenses in the PA UCR system for the City. Nearly 40% of the reported crime in Dauphin County occurred in the jurisdiction of Harrisburg City. Even with this progress, other crimes continue to be committed. Throughout Dauphin County, Burglary and Robbery and Drug-Related Crime are on the rise, with Rape being the most unsolved crime in Dauphin County overall.

It is also important to note, when comparing crime rates, that Harrisburg has an unusually high daytime population increase. Although the 2022 estimated United States Census lists the

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City's population as 50,183, the daytime population is estimated at over 85,000. Commuters, averaging 28,000, increase the City's population by 55.5%. Although most cities experience some increase in daytime population, the disparity in Harrisburg is extraordinarily high. In addition to the increased daytime population, the City's "Restaurant Row" dining and entertainment district draws large evening crowds. Bureau staff reports that, on a summer night, as many as 4,000-5,000 people may gather in this relatively confined area. Although it is difficult to draw exact conclusions regarding the impact of the increased daytime population, the influx has an impact on the need for police services and must be kept in mind in any analysis of the City's crime rate or staffing levels. As a result of this increased utilization of the City's police resources, the Bureau of Police has realized an increase in expenditures for salaries/wages/benefits, legal services, and auto deductibles since 2006. This has created a budget shortfall each year since, making it difficult for the Bureau of Police to fund other much-needed services and equipment, such as a new vehicle, upgrades to existing technology, and even repairs for current equipment. Additionally, until recently the Bureau of Police had not had an increase of officers since 2006, even though the FBI reported compliment is 179 and the bureau currently fields 144. Some hiring has taken place due to prior COPS grant and work with the mayor's administration, but this is limited currently.

These statistics raise the question – what more can a system with a history of proactive approaches and innovative programs do to improve the lives of citizens in Dauphin County impacted by crime? Part of the answers lies in engaging the City to re-evaluate its Community-Oriented Policing strategies, which does appear to be having a benefit on the most violent crime as the numbers are dropping, as well as updating technology that allows officers to communicate and complete work in the field. While the Harrisburg Police Bureau has seen some success in

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reducing crime, the overall level of crime in the City remains unacceptably high. As a result of this increase in crime, the City's resources (i.e., personnel, equipment) have been extensively utilized. There is an urgent need to maintain and improve the technological operations of the Harrisburg Police Department to continue the business of fighting crime and protecting citizens. This is driven by one thing: information. When a case is solved, it is because of solid leads. Investigative efforts are hampered by delays in the retrieval of information and lack coordination as a result. This translates into an increased risk to the very communities our officers are charged with protecting. This information must be immediately available to the officer on the street for it to have a meaningful impact upon officer and community safety.

Considering the Bureau's (and the City of Harrisburg's) financial situation, the purchase of new and upgraded equipment is needed for the daily operations within the City. Therefore, the Harrisburg Bureau of Police respectfully submits this application for grant funding through the FY2023 Byrne Memorial Justice Assistance Grant Program for the following items:

--NIBRS Compliance:

A portion of the 2023 JAG grant application, though not required to be, will be set aside to ensure the continued support and maintenance of NIBRS for the City of Harrisburg. Based on prior technical needs and on-going conversations about this requirement, it is expected that a maintenance fee will continue to be required to ensure the upkeep of the NIBRS communications established by the City records management software (RMS) vendor, CODY. Money from previous JAG grant was used entirely to support the funding of the City in becoming compliant with NIBRS.

--Crimewatch - Subscription Fee for Harrisburg Police Department (SUPPLIES):

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The CRIMEWATCH™ Network is a front-end, web based, content management network de-signed to create inter-agency sharing at local, state, and national levels. Agencies who participate can easily organize and share information in a controlled manner with other agencies, the press and the public. Customized websites, built on a predesigned platform within the framework of the Crimewatch (CW) Network, which allows law enforcement agencies a simple vehicle to manage, organize and control fugitive and offender information. The CW Portal is a control point for disseminating information to the public. The forum encourages public interaction by offering dynamic, hyper-personal information that is easily shared across social media networks and other forms of electronic communication. The funds requested through this grant will be used to support the subscription of Harrisburg PD to the Crimewatch Portal. This leverages information from the public and provides crime-mapping for the entire county for the first time. The current subscription for the police department was paid via Federal Grant Funding (Federal JAG Grant: 15PBJA-21-GG-01773-JAGX, and 15PBJA-22-GG-02257-JAGX), and funding is again required to support the department’s subscription. The site was officially live as of July 8, 2013 and continues to be updated by police administrators. Metrics are being captured include the number “reach” of the site to the public and crime mapping analysis can be completed using this information (though, that is not part of the public-facing platform). We consider this platform – the Crimewatch web portal – a promising method of communicating with the public and ensuring outreach on unified multi-media platforms such as Twitter and Facebook. Please use the following links to view the current Dauphin County Crimewatch portal and the Harrisburg Police iteration of the site:

<http://dauphin.crimewatchpa.com/>

<http://dauphin.crimewatchpa.com/hbgpd/3271>

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-- POWERTIME (PLANIT) – SUPPLIES

PowerTime is a web-based personnel scheduling system built specifically for law enforcement. PowerTime can manage scheduling, time off, open shifts, court appearances, and equipment tracking. This system will provide a way for staff to track court appearances, for the City police bureau property to be tracked among other features, all utilizing one system.

PowerTime is compatible with Power DMS and Tyler Technologies. PowerDMS is a software utilized by most police departments in Pennsylvania, to assist with maintaining accreditation policies and procedures, and ensure a secure workflow and precise pathway to completed documentation.

--CODY COBRA System – HPD Portion of Contract for Data Integration/Sharing:

The last item which will be included in this application includes monies for Harrisburg City Police Bureau to connect to the countywide CODY COBRA system. The COBRA system is a framework by which multiple Police Records Management Systems (police RMS) can share information. One county police department can have vendor “X” provides its RMS as that vendor meets their data needs, and one police department can have vendor “Y” because that vendor and produce better suits that agency’s data needs; this disparate system approach disrupts the ability to share investigative information in a timely manner. The COBRA system acts as a data warehouse where, if interfaces are built and available and appropriate releases are signed by the departments, data from the disparate police RMS can be shared to the COBRA hub and then analyzed by agencies with access. It is CJIS compliant. Currently there are more than 20 Dauphin County, Cumberland County, and Lancaster County police departments that share information on this network. COBRA is live as of June 2019 and more MOUs for use come in daily. Dauphin County has been able to pay for the first few years of funding under the current

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contract for all participating agencies, and police departments are expected to pay a significant portion of the cost of their access to that data moving forward after July 2023. Harrisburg City does not have funding available to cover these expenses and needs to – due to its rates of crime and importance of criminal data – use JAG dollars to cover this expense. The contract Dauphin County has with COBRA runs on a Pennsylvania state fiscal year (July 1 – June 30) and is renewable annually. Police use the data in the system for investigations and to see if there are connections among cases from county to county. Though relatively new, the promise of adding data-feeds from a variety of systems to this hub, and growing the information network within, is boundless.

Lower Paxton Township Police Department - 2023 JAG Program Narrative:

Lower Paxton Township is a Township of the second class, located in Harrisburg, Dauphin County, Pennsylvania. The Township encompasses approximately 28.1 square miles with a 2020 US Census population of 53,501 and is the 17th largest of the 2,600 municipalities in the state of Pennsylvania. 98% of the population is considered urban and 2% is considered rural. The area is predominantly residential in nature and is home to the largest commercial/shopping corridor in the Harrisburg Metropolitan area. It is also home to the Central Dauphin School District, which serves 12,000 students from five (5) different municipalities. The Lower Paxton Township Police Department (LPD) was officially created in 1958 and has attained full accreditation status with the Pennsylvania Law Enforcement Accreditation Commission. In 2009, the Department had an authorized compliment of 63 sworn full-time Police Officers. Due to the Great Recession, the Department experienced budget reductions in practically all budget categories, including personnel. These budget cuts resulted in staff reductions among sworn and of civilian staff positions. Nine (9) sworn full-time Police Officers positions (a 14% reduction in

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sworn full-time positions) were eliminated; the complement of sworn officers remains at 57

today. Luckily, Police Officer staff reductions did not involve layoffs; rather, existing vacancies were not filled. On average, the department handles over 22,000 calls for service, almost 400 reportable traffic crashes and approximately 2,400 criminal offenses per year.

--LICENSE PLATE READER – SUPPLIES

All supplies associated with the purchase of the LPR camera outlined above are necessary to mount the camera as part of the installation. This includes the camera mount, camera license, costs of installation, warranty, and annual service renewal. Please see associated QUOTE QUO1217 for details. This quote represents the cost of two (2) LPR units and is effectively halved for purposes of this application.

--LICENSE PLATE READER – EQUIPMENT

A standalone license plate reader will be purchased by the department. NDI Technologies, Inc. is the preferred company as they were selected from competitors by our largest police departments as part of countywide efforts to address LPR related needs in Dauphin County. As other departments are working to find funding for their units, selecting the same company is preferred due to the integration with each system and ability to search records databases seamlessly. Again, the device has a 5-year warranty, 5G built-in, and will interface with other police county law enforcement data systems and information sharing systems as appropriate. The pricing obtained for this item will be government rated, and the vendor will be determined to be COSTARS eligible prior to purchase. The standing unit will be deployed into high crime/incident areas to assist with the identification of potential suspects on networks of interstate corridors that intersect within the borders of its jurisdiction. The two (2) cameras being requested through the quote for this project are being funded through different fiscal years of

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JAG (15PBJA-22-GG-02257-JAGX and current JAG application) and will be situated near the intersection of an elementary school near a busy roadway close to a series of highway networks and interstate corridors within the borders of its jurisdiction (I-83, I-81), and is dissected by U.S. Route 22.

Swatara Township Police Department - 2023 JAG Program Narrative:

The Swatara Township Police Department provides protection to an area of about 14.6 square miles between Harrisburg and Hershey, Pennsylvania. Approximately 24,000 people call Swatara Township home. The Office of the Chief of Police is comprised of the Chief and his administrative assistant. At full complement, the Department has 50 full time police officers. The Patrol Services Division is commanded by a Lieutenant and is comprised of four Patrol Platoons, and the Community Services Division. Each of the Patrol Platoons has a Sergeant and/or Corporal and several Patrol Officers. The Field Services Division is commanded by a Lieutenant and is comprised of the Criminal Investigation Section and the Records/Clerical Section. The Criminal Investigation section has 6 detectives including a Juvenile Aid Officer, a Drug Task Force Investigator, and an Evidence Technician/Evidence Property Room Manager. The Records/Clerical section is comprised of a full-time Police Secretary and a part-time Police Receptionist.

--“POWER SOFTWARE” INFORMATION – SUPPLIES

This is a software product that will allow the Swatara Township Police Department to manage and track daily observation reports among other features. It is field training software, policy development platform, and schedule manager for police. It will interface with other police county law enforcement data systems and information sharing systems as appropriate.

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PowerDMS: This software empowers the police department to electronically manage dozens of policies and procedures. The policies are generated, maintained, and eventually archived within the software allowing officers to locate any document they need in one place. Officers receive their training on each of the policies and procedures within the software, and all training activity is logged by the software for management purposes. The use of this software is a crucial timesaver and cornerstone of professional policy management. The software also allows our department to manage our PLEAC Accreditation files and proofs. Maintaining our Accredited status is incredibly important; PowerDMS allows us to manage the large volume of Accreditation material with relative ease.

PowerFTO: A newly hired police officer's initial training at the police department is vitally important to their success. Without proper instruction, feedback, and correction newly hired police officers face a serious risk of not completing their probationary period and losing their job. Furthermore, without a means by which to scrutinize an officer's progress while in training, departments run the risk of retaining the wrong employee. PowerFTO allows field training officers to log an incredible amount of information about their trainees and share that information with other training officers and supervisors. It provides very detailed feedback for the new officer, so they clearly understand what they're doing well, and what they need to work on to successfully complete their probationary period. The data gathered by the software enables managers to make informed decisions about the performance of newly hired officers at any point during their training. This software allows the department to ensure it is properly training new officers and retaining only those who meet its rigorous standards.

PowerTime: Managing the work schedule of a 50-person police department is a daunting task, especially considering complex scheduling for officers for Court dates, training dates, earned

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time off, sick time, overtime, special details, special events, not to mention the regular shifts that each officer works. Using anything other than this software to create and manage this schedule as a basis for this process leads to wasted man hours and inefficient use of officer time when they should be prioritizing public safety and community engagement. PowerTime allows departments to manage the schedule quickly and easily, even from a smart phone when away from the office. It allows supervisors to push scheduling information to officers via email and text message, drastically increasing the efficiency of process. The software also runs dozens of reports that allow managers to extract specific scheduling information and details in a matter of seconds.

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**Edward Byrne Memorial
Justice Assistance Grant
FY 2023 Local Solicitation**

**Budget Narrative
Submitted:
Dauphin County Criminal Justice Advisory Board
Dauphin County Courthouse, Rm. 205
101 Market Street
Harrisburg, PA 17101**

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SF-424 Budget Categories – Summary:

PERSONNEL (FEDERAL)	\$26,302
PERSONNEL (NON-FEDERAL)	\$0
FRINGE BENEFITS (FEDERAL)	\$4,494
FRINGE BENEFITS (NON-FEDERAL)	\$0
TRAVEL (FEDERAL)	\$0
TRAVEL (NON-FEDERAL)	\$0
EQUIPMENT (FEDERAL)	\$5,900
EQUIPMENT (NON-FEDERAL)	\$0
SUPPLIES (FEDERAL)	\$47,468
SUPPLIES (NON-FEDERAL)	\$0
CONSTRUCTION (FEDERAL)	\$0
CONSTRUCTION (NON-FEDERAL)	\$0
SUBAWARDS (SUBGRANTS)	\$0
PROCUREMENT CONTRACTS (FEDERAL)	\$0
PROCUREMENT CONTRACTS (NON-FEDERAL)	\$0
CONSULTANT (FEDERAL)	\$0
CONSULTANT (NON-FEDERAL)	\$0
OTHER COSTS (FEDERAL)	\$0
OTHER COSTS (NON-FEDERAL)	\$0
INDIRECT COSTS (FEDERAL)	N/A (\$0)
INDIRECT COSTS (NON-FEDERAL)	N/A (\$0)
TOTAL:	\$84,164

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Victim/Witness Assistance Program (VWAP) Harrisburg City Budget for Advocate:

Salary and Benefits for one (1) full-time victim advocate located in the Harrisburg City Police Department and serving Harrisburg City Police Department only. The crime victim advocate works together with police to ensure all victims and witnesses of crime have all the services, notifications and information as required by law.

Total Allocated Funds - \$30,796 to VWAP

2022 (For 2023) PERSONNEL AND FRINGE BENEFITS

<u>Title</u>	<u>Computation</u>	<u>Cost</u>
Harrisburg City Victim Advocate	50% of salary @ \$52,603/annual	\$26,302
Total Personnel Costs		\$26,302
FICA	\$26,302 x 7.65%	\$ 2,012
PA Unemployment	\$10,000pp x .10 @ 50%	\$ 500
Health Insurance	\$7,200 @ 50% (amount reduced to fit budget)	\$ 1,982
Pension (SEP IRA)	Not Included this year.	
Total Benefits		\$4,494
TOTAL Personnel & Benefit Costs		\$ 30,796
TOTAL 2023 (for 2024) VWAP JAG Allocation Portion		\$ 30,796

*The remaining funding for these positions comes via federal and state grants. The monies indicated below and in the financial disclosures section are used to support the salaries and benefits associated with the work of the advocate in addition to the Federal JAG money.

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This combination of funding sources ensures this position is sustainable. Without leveraging of resources, this position would not be maintained:

Federal or State Funding Agency	Position Supported & Percentage of Support	Solicitation Name/Project Name	Name/Phone/E-mail for Point of Contact at Funding Agency
PA Commission on Crime & Delinquency (PCCD) – State Funding	Harrisburg City Advocate – 20%	Rights-and-Services-Act (RASA) grant, Dauphin County VWAP	Ms. Victoria L. McCloskey (717) 265-8746
PA Commission on Crime & Delinquency (PCCD) – State Funding	Harrisburg City Advocate – 30%	Victims of Crime Act (VOCA) grant, Dauphin County VWAP	Ms. Victoria L. McCloskey (717) 265-8746

All quoted pricing is COSTARS or valid Pennsylvania government pricing and will be approved by the purchasing office at the county and reviewed by the city before initiating purchases under this grant.

Harrisburg Police Department Budget (SUMMARY):

(Supplies) NIBRS – Computer related purchase to ensure maintenance of computer software with NIBRS data exchange = \$8,602

(Supplies) Crimewatch Web Portal Subscription
 Harrisburg Police Department Subscription Fee
 \$400 per month x 12 months = \$4,800

(Supplies) PowerTime (PlanIt)
 Web-Based Scheduling Software System for managing Police Tracking of Time and Property = \$7,000

(Supplies) CODY COBRA Subscription
 Harrisburg Police Department Connection Fee (Portion ONLY)
 \$10,395 required for 12 months after 10/1/2023
 Availability of Grant Dollars, \$10,395 requested = \$10,395

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Total Harrisburg City Police Department JAG 2022 = \$30,797

Additional Narrative:

Considering the Bureau's (and the City of Harrisburg's) financial situation, the purchase of new and upgraded equipment is needed for the daily operations within the City. Therefore, the Harrisburg Bureau of Police respectfully submits this application for grant funding through the FY 2022 Byrne Memorial Justice Assistance Grant Program for the following items:

--NIBRS Compliance:

A portion of the 2023 JAG grant application, though not required to be, will be set aside to ensure the continued support and maintenance of NIBRS for the City of Harrisburg. Based on prior technical needs and on-going conversations about this requirement, it is expected that a maintenance fee will be required to ensure the upkeep of the NIBRS communications established by the City records management software (RMS) vendor, CODY. Money from previous JAG grant was used entirely to support the funding of the City in becoming compliant with NIBRS.

--Crimewatch - Subscription Fee for Harrisburg Police Department (SUPPLIES):

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media networks and other forms of electronic communication. The funds requested through this grant will be used to support the subscription of Harrisburg PD to the Crimewatch Portal. This leverages information from the public and provides crime-mapping for the entire county for the first time. The current subscription for the police department was paid via Federal Grant Funding (Federal JAG Grant: 15PBJA-21-GG-01773-JAGX, and 15PBJA-22-GG-02257-JAGX), and funding is again required to support the department’s subscription. The site was officially live as of July 8, 2013 and continues to be updated by police administrators. Metrics are being captured include the number “reach” of the site to the public and crime mapping analysis can be completed using this information (though, that is not part of the public-facing platform). We consider this platform – the Crimewatch web portal – a promising method of communicating with the public and ensuring outreach on unified multi-media platforms such as Twitter and Facebook. Please use the following links to view the current Dauphin County Crimewatch portal and the Harrisburg Police iteration of the site:

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utilized by most police departments in Pennsylvania, to assist with maintaining accreditation policies and procedures, and ensure a secure workflow and precise pathway to completed documentation.

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renewable annually. Police use the data in the system for investigations and to see if there are connections among cases from county to county. Though relatively new, the promise of adding data-feeds from a variety of systems to this hub, and growing the information network within, is boundless.

Lower Paxton Township Police Department (SUMMARY):

All quoted pricing is COSTARS or valid Pennsylvania government pricing and will be approved by the purchasing office at the county and reviewed by the city before initiating purchases under this grant. Please see QUOTE QUO1217 from NDI Technologies Inc. for details regarding the budget below.

(Equipment) C Series LPR-S Camera (1 unit)	= \$5,900
(Supplies) Static System Commissioning (50% of cost)	= \$ 900
(Supplies) Hosted Camera License- Per LPR Camera	= \$1,500
(Supplies) Annual Services Renewal (Partial Only)	= \$3,645
<u>Total Lower Paxton Township Police Department JAG 2023</u>	= \$11,945

--LICENSE PLATE READER – SUPPLIES

All supplies associated with the purchase of the LPR camera outlined above are necessary to mount the camera as part of the installation. This includes the camera mount, camera license, costs of installation, warranty, and annual service renewal. Please see associated QUOTE QUO1217 for details. This quote represents the cost of two (2) LPR units and is effectively halved for purposes of this application.

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Swatara Township Police Department (SUMMARY):

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(Supplies) PowerFTO
 Web-Based Scheduling Software System for managing Police Training = \$3,200

(Supplies) PowerDMS
 Web-Based Policies & Procedures Software System for managing Police = \$6,200

(Supplies) PowerTime
 Web-Based Work-Manager for Scheduling of Police (Partial Support Only!) = \$1,226

Total Swatara Township Police Department JAG 2023 = \$10,626

--“POWER SOFTWARE” INFORMATION – SUPPLIES

This is a software product that will allow the Swatara Township Police Department to manage and track daily observation reports among other features. It is field training software, policy development platform, and schedule manager for police. It will interface with other police county law enforcement data systems and information sharing systems as appropriate.

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A-480642
C-BJA-2023-00105-PROD
FFY2023 Local JAG Grant
GRANT13962135
RISMZ9ENFXB8
O-BJA-2023-171790

**Edward Byrne Memorial
Justice Assistance Grant
FY 2023 Local Solicitation**

**Other Grant – Financial Disclosures
Submitted:
Dauphin County Criminal Justice Advisory Board
Dauphin County Courthouse, Rm. 205
101 Market Street
Harrisburg, PA 17101**

JUST GRANTS APPLICATION CASE ID:
JUST GRANTS COMPETITION IDENTIFICATION NUMBER:
APPLICATION NAME:
GRANT PACKAGE NUMBER:
UEI:
OPPORTUNITY NUMBER:

A-480642
 C-BJA-2023-00105-PROD
 FFY2023 Local JAG Grant
 GRANT13962135
 RISMZ9ENFXB8
 O-BJA-2023-171790

Harrisburg City Police Bureau:

Currently, the City Police Department receives the following grant aid to support the work done by the Police.

Federal or State Funding Agency	Position Supported & Percentage of Support	Solicitation Name/Project Name	Name/Phone/E-mail for Point of Contact at Funding Agency
PCCD – Federal funds awarded through the State.	This grant is currently under extensive revision and review with the funding agency. The original purpose of the project was to: Purchase new Body Worn Camera technology and License Plate Readers <ul style="list-style-type: none"> • Purchase Laser Scanner for Forensic Investigators to process major crime scenes • Hire additional Non-Sworn support personnel -----Community Service Aides (6) -----Evidence Technician • Retention Bonuses to working Sworn Supervisors, Detectives and Patrol Officers • Retention Bonuses to working Non-Sworn Personnel • Initiate and Enhance Officer Wellness Programs (Physical/Mental/Resilience) 	Local Law Enforcement Grant	John Polheber JPolheber@pa.gov 717-265-8716
PCCD – Federal funds awarded through the State.	<ul style="list-style-type: none"> • Purchase Shot Spotter Technology • Fund a Forensic Investigator in the Criminal Investigation Division 	Gun Violence Investigation & Prosecution Grant	Daniel Scott Hoover danielhoov@pa.gov 717-787-2040

JUST GRANTS APPLICATION CASE ID:
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 GRANT13962135
 RJSMZ9ENFXB8
 O-BJA-2023-171790

	<ul style="list-style-type: none"> • Support overtime details to saturate high gun crime areas • Purchase Cellebrite Technology to increase clearance rates of gun crimes • Work with community groups to increase lighting and install Ring doorbell service in homes in high crime areas 		
Dauphin County District Attorney's Office – State Funding, Table Gaming Monies	Funding for various related overtime details, including DV Response Team, and Combined Agency Saturation patrols. Include some technical funding for City Police Camera System.	District Attorney's Violent Crimes Taskforce (VCTF) Grant	Ms. Catharine Kilgore 717-780-6764 ckilgore@dauphincounty.gov
Funding through PCCD	\$500,000 to work with the John Jay Institute as a consultant (fund their Technical Assistance), build a violence incident review team, and work to hire a program manager who will work with community providers and build trust. May pay for services eventually.	Group Violence Initiative Grant	PCCD

TOTAL 2023 (for 2024) VWAP:

*The remaining funding for these positions comes via federal and state grants. The monies indicated below and in the financial disclosures section are used to support the salaries and benefits associated with the work of the advocate in addition to the Federal JAG money. This combination of funding sources ensures this position is sustainable. Without leveraging of resources, this position would not be maintained:

JUST GRANTS APPLICATION CASE ID:
 JUST GRANTS COMPETITION IDENTIFICATION NUMBER:
 APPLICATION NAME:
 GRANT PACKAGE NUMBER:
 UEI:
 OPPORTUNITY NUMBER:

A-480642
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Federal or State Funding Agency	Position Supported & Percentage of Support	Solicitation Name/Project Name	Name/Phone/E-mail for Point of Contact at Funding Agency
PA Commission on Crime & Delinquency (PCCD) – State Funding	Harrisburg City Advocate – 20%	Rights-and-Services-Act (RASA) grant, Dauphin County VWAP	Ms. Victoria L. McCloskey (717) 265-8746
PA Commission on Crime & Delinquency (PCCD) – State Funding	Harrisburg City Advocate – 30%	Victims of Crime Act (VOCA) grant, Dauphin County VWAP	Ms. Victoria L. McCloskey (717) 265-8746

Swatara Township Police Department:

Federal or State Funding Agency	Position Supported & Percentage of Support	Solicitation Name/Project Name	Name/Phone/E-mail for Point of Contact at Funding Agency
PCCD – Federal funds awarded through the State.	No positions supported. The award allowed for the purchase of several items to include body cameras and LPR’s (etc.).	Local Law Enforcement Grant	John Polheber JPolheber@pa.gov 717-265-8716
PA Department of Education – State funding.	\$75,000 annually for the SRO position.	Safe Schools Initiative Targeted Grant.	Russell Alves RAlves@pa.gov 717-783-6777
PA DCED – funding is connected to the Federal American Recovery Plan Act (ARPA) State Fiscal Recovery Funds.	\$30,000 grant in support of the K-9 Division.	K-9 Soul	Nadine Zeigler NadZeigler@pa.gov 717-346-7743

Lower Paxton Township Police Department:

JUST GRANTS APPLICATION CASE ID:
JUST GRANTS COMPETITION IDENTIFICATION NUMBER:
APPLICATION NAME:
GRANT PACKAGE NUMBER:
UEI:
OPPORTUNITY NUMBER:

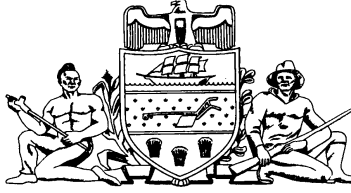
A-480642
 C-BJA-2023-00105-PROD
 FFY2023 Local JAG Grant
 GRANT13962135
 RISMZ9ENFXB8
 O-BJA-2023-171790

Federal or State Funding Agency	Position Supported & Percentage of Support	Solicitation Name/Project Name	Name/Phone/E-mail for Point of Contact at Funding Agency
PCCD – Federal funds awarded through the State.	No positions supported. The award allowed for the purchase of several items to include body cameras and LPR’s (etc.).	Local Law Enforcement Grant	John Polheber JPolheber@pa.gov 717-265-8716
Pennsylvania Department of Transportation (PennDOT) via NHTSA Highway Traffic Safety Funding (FFY2023-2025)	No specific positions supported, but overtime and details related to traffic safety and enforcement (DUI, Aggressive Driving, Pedestrian Safety, Seatbelt Enforcement) are funded.	Police Traffic Services Grant	Shane Mills Program Administrator, Program Services PA Department of Transportation Bureau of Operations Division of Highway Safety & Traffic Operations Phone: 717.409.3827 Fax: 717.738.8012 www.pennDOT.pa.gov

District Attorney

FRANCIS T. CHARDO
District Attorney

101 Market Street
Harrisburg, Pennsylvania 17101-2028
Telephone: (717) 780-6767
Fax: (717) 255-1396



Dauphin County

FY 2023 JAG Local Solicitation
Disclosure of High-Risk Status

JUSTGRANTS APPLICATION CASE ID:	A-480642
JUSTGRANTS COMPETITION IDENTIFICATION NUMBER:	C-BA-2023-00105-PROD
APPLICATION NAME:	FFY2023 Local JAG Grant
GRANT PACKAGE NUMBER:	GRANT13962135
UEI:	RJSMZ9ENFXB8
OPPORTUNITY NUMBER:	O-BA-2023-171790

Dauphin County has not been designated high-risk by any federal granting agency or authority.

The Victim-Witness Assistance Program (VWAP) has not been designated high-risk by any federal granting agency or authority.

Several years ago, during the mid-2000's, the City of Harrisburg was designated as high-risk due to gaps in quarterly reporting provided on prior JAG grants.

Since at least 2011, these reports have been submitted in a timely manner as Dauphin County has acted on the City's behalf regarding grant coordination and reporting.

The high-risk status for the City has long since been rescinded.

Therefore, Harrisburg City is not designated as a high-risk entity by any federal granting agency or authority.

Lower Paxton Township and Swatara Township also are not designated as high-risk status by a federal granting agency or authority.

EXHIBIT B

**2023 FEDERAL JUSTICE ASSISTANCE GRANT (JAG)
SUBRECIPIENT AGREEMENT BY AND BETWEEN
THE COUNTY OF DAUPHIN
AND
HARRISBURG CITY POLICE BUREAU**

This Agreement is made and entered into this ___ day of _____, 20___, by and between The COUNTY of DAUPHIN, acting by and through its governing body, the COUNTY Commissioners, hereinafter referred to as COUNTY, and the CITY of HARRISBURG, acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of DAUPHIN County, State of PENNSYLVANIA:

WITNESSETH THAT:

WHEREAS, the COUNTY applied for Federal Local Justice Assistance Grant, hereinafter JAG, funds from the U.S. Department of Justice, Bureau of Justice Assistance, Office of Justice Programs; and

WHEREAS, the COUNTY is the recipient of JAG funds based on the COUNTY's submission and Interlocal MOU signed at the time of the application; and

WHEREAS, the COUNTY will receive the JAG funds as indicated in the grant application to carry out activities in the subaward; and

WHEREAS, the CITY has authorized the COUNTY as the administrator of the JAG program; and

WHEREAS, SUBRECIPIENT proposed eligible activities to be funded from 2023 JAG funds, which funding has been approved in the amount of **\$61,594**; and

WHEREAS, the COUNTY desires to enter into an agreement with the SUBRECIPIENT to undertake and complete said Project.

NOW, THEREFORE, intending to be legally bound, the parties do mutually agree as follows:

1. The SUBRECIPIENT shall undertake and complete the Grant Project as set forth herein according to the Project Statement of Work, Project Budget and Project Schedule.
2. SUBRECIPIENT shall administer all Project tasks in compliance with Federal, state, and local laws, rules and regulations governing the JAG funds and in a manner satisfactory to the COUNTY.
3. SUBRECIPIENT shall complete the Project within Grant Project Period effective from **10/1/2023 to 9/30/2026** after receiving notification of JAG project approval. This

agreement shall be effective if and when funds to support the Grant Project are awarded to the COUNTY by the U.S. Department of Justice, Bureau of Justice Assistance, Office of Justice Programs and shall terminate at the end of the project period specified in the subgrant application attached hereto, subject to any approved extension of such project period.

- a. The complete **Grant Application** is attached hereto and made a part hereof as **Attachment – 1**.
 - b. The **Grant MOU and Project Budget Narrative** as presented for the SUBRECIPIENT is attached hereto and made a part hereof as **Attachment – 2**.
 - c. The **Federal Award Conditions for Grant #15PBJA-23-GG-03726-JAGX** is attached hereto and made a part hereof as **Attachment – 3**.
4. Payment for services rendered and allowable expenses and costs incurred shall be made by the Subrecipient subject to all applicable Federal/State requirements for the documentation of expenditure of subgrant funds.
 5. The Subgrantee expressly acknowledges its liability to the County for the repayment of any and all unallowable costs paid under the Project.
 6. All Federal standard and special subgrant conditions agreed to by the subgrantee shall be binding upon the SUBRECIPIENT.
 7. The SUBRECIPIENT's accounting procedures must properly and accurately document the accurate and timely recording of receipts of funds by source, expenditures, and unexpended balances. The subrecipient shall maintain adequate fiscal controls to ensure that charges to Project funds are for allowable costs as provided for in the approved project budget and that documentation is readily available to verify the accuracy of such charges.
 8. The SUBRECIPIENT, upon request, shall make available all directly pertinent books and records for inspection and audit by the COUNTY, the U.S. Department of Justice, Bureau of Justice Assistance, Office of Justice Programs and the Auditor General of Pennsylvania. The SUBRECIPIENT shall retain in Pennsylvania all books and records directly pertinent to Project expenditures for a period of at least five (5) years after the termination of this agreement.
 9. The SUBRECIPIENT shall not, on the grounds of race, color, creed, sex, national origin or handicap, exclude any person from participation in the Project or deny any person the benefits of the Project. The SUBRECIPIENT shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin or non-job-related handicap and shall take affirmative action to ensure that applicants are employed and employees are treated without regard to such characteristics.
 10. The COUNTY will monitor SUBRECIPIENT compliance with the Grant Application, Budget and expenses as purchasing is to occur. The failure to adhere to the Grant Budget

may subject the SUBRECIPIENT to sanctions, including, but not limited to, the following:

- a. Intervention level sanctions – SUBRECIPIENT will be required to attend an intervention meeting to identify deficiencies, corrective actions, and required timetables for correction. SUBRECIPIENT may be subject to additional monitoring, reporting, training or other actions.
 - i. Escalation level sanctions – A SUBRECIPIENT whose deficiencies are not addressed through intervention or whose initial non-compliance entails serious or widespread non-conformance may be subject to escalated sanctions. Such sanctions include the imposition of limitations or additional requirements on payment requests, disallowance of payment requests, demand for repayment of benefits, and probationary status.
 - ii. Severe level sanctions – A SUBRECIPIENT whose deficiencies are not corrected after escalation or that otherwise warrant the same under the terms of this Agreement.
 - iii. Cover the portion of the actual out-of-pocket expenses (not otherwise reimbursed under this Agreement) incurred by the SUBRECIPIENT during the Agreement period which are directly attributable to the uncompleted portion of the services covered by this Agreement.

11. In the event the application for the JAG funds for the Project is not approved or after approval of said application, the JAG funds are not received from U.S. Department of Justice, Bureau of Justice Assistance, Office of Justice Programs, or if such funds shall cease to be available, this Agreement shall terminate and thereafter shall have no force and effect in law.

ADMINISTRATIVE REQUIREMENTS

The COUNTY and SUBRECIPIENT agree to comply with 2 CFR 200.303 and 2 CFR 332, related to Subrecipient Monitoring and Management, and all other applicable Federal regulations related to Grants and Agreements.

- a. Financial Management
 - i. Accounting Standards – The SUBRECIPIENT agrees to comply with accounting principles and procedures required, utilize adequate internal controls, and maintain necessary source documentation for all costs incurred.
 - ii. Cost Principles – The SUBRECIPIENT shall administer its program in conformance with OMB Circulars A-87, “Cost Principles” as applicable. These principles shall be applied for all costs incurred whether charged on a direct or indirect basis.
- b. Documentation and Record Keeping
 - i. Records to be Maintained – The SUBRECIPIENT shall maintain all records required by the Federal regulations that are pertinent to the

activities to be funded under this Agreement. Such records shall include but not be limited to:

- a. Records providing a full description of each activity undertaken;
 - b. Records demonstrating that each activity undertaken meets one of the National Objectives of the JAG program;
 - c. Records required to determine the eligibility of activities;
 - d. Financial records as required; and
 - e. Other records necessary to document compliance.
- ii. Retention – The SUBRECIPIENT shall retain all financial records, supporting documents, statistical records, and all other records pertinent to the Agreement for a period of five (5) years. The retention period begins on the JAG grant project end date in which the activities assisted under the Agreement are reported on for the final time. Notwithstanding the above, if there is litigation, claims, audits, negotiations or other actions that involve any of the records cited and that have started before the expiration of the four-year period, then such records must be retained until completion of the actions and resolution of all issues, or the expiration of the five-year period, whichever occurs later.
- iii. Close-outs – The SUBRECIPIENT’s obligation to the COUNTY shall not end until all close-out requirements are completed. Activities during this close-out period shall include but are not limited to: making final payments and determining the custodianship of records. Notwithstanding the foregoing, the terms of this Agreement shall remain in effect during any period that the SUBRECIPIENT has control over JAG funds.
- iv. Audits & Inspections – All SUBRECIPIENT records with respect to any matters covered by this Agreement shall be made available to the COUNTY, grantor agency, and the Comptroller General of the United States or any of their authorized representatives, at any time during normal business hours, as often as deemed necessary, to audit, examine, and make excerpts or transcripts of all relevant data. Any deficiencies noted in audit reports must be fully cleared by the SUBRECIPIENT within 30 days after receipt by the SUBRECIPIENT. Failure of the SUBRECIPIENT to comply with the above audit requirements will constitute a violation of this contract and may result in the withholding of future payments.
- a. The SUBRECIPIENT hereby agrees to have an annual agency audit conducted of its accounts in accordance with current COUNTY policy concerning subrecipient audits and OMB Circular A-133, by a certified public accountant. A copy of the audit is to be provided to the COUNTY within 150 days of the end of the SUBRECIPIENT fiscal year. JAG funds and related expenses shall be clearly identified in the audit report.

- v. Reporting and Payment Procedures – The COUNTY will pay to the SUBRECIPIENT funds available under this Agreement based upon information submitted by the SUBRECIPIENT and consistent with any approved budget and COUNTY policy concerning payments. With the exception of certain advances, payments will be made for eligible expenses actually incurred by the SUBRECIPIENT, and not to exceed actual expenditures.
- vi. Progress Reports – The SUBRECIPIENT shall submit as requested to the COUNTY quarterly progress reports detailing the status of the project activity.
- vii. Procurement Compliance – The SUBRECIPIENT shall comply with current COUNTY policy concerning the purchase of equipment and shall maintain inventory records of all non-expendable equipment and supplies as defined by such policy as may be procured with funds provided herein.
- viii. Hatch Act – The SUBRECIPIENT agrees that no funds provided, nor personnel employed under this Agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V of the U.S.C.
- ix. Conflict of Interest –
 - a. The SUBRECIPIENT shall maintain a written code or standards of conduct that shall govern the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds.
 - b. No employee, officer or agent of the SUBRECIPIENT shall participate in the selection, or in the award, or administration of, a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.
 - c. No covered persons who exercise or have exercised any functions or responsibilities with respect to JAG-assisted activities, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest in any contract, or have a financial interest in any contract, subcontract, or agreement with respect to the JAG-assisted activity, or with respect to the proceeds from the JAG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for a period of one (1) year thereafter. For purposes of this paragraph, a “covered person” includes any person who is an employee, agent consultant, officer, or elected or appointed official of the COUNTY, the SUBRECIPIENT, or any designated public agency.

- x. Lobbying – The SUBRECIPIENT hereby certifies that:
 - a. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
 - b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions; and
 - c. It will require that the language of paragraph (d) of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all SUBRECIPIENTS shall certify and disclose accordingly:
 - d. Lobbying Certification – This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

SEVERABILITY

If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby, and all other parts of this Agreement shall nevertheless be in full force and effect.

SECTION HEADINGS AND SUBHEADINGS

The section headings and subheadings contained in this Agreement are included for convenience only and shall not limit or otherwise affect the terms of this Agreement.

WAIVER

The COUNTY's failure to act with respect to a breach by the SUBRECIPIENT does not waive its right to act with respect to subsequent or similar breaches. The failure of the COUNTY to exercise or enforce any right or provision shall not constitute a waiver of such right or provision.

ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the COUNTY and the SUBRECIPIENT for the use of funds received under this Agreement and it supersedes all prior or contemporaneous communications and proposals, whether electronic, oral, or written between the COUNTY and the SUBRECIPIENT with respect to this Agreement.

IN WITNESS WHEREOF, and intending to be bound hereby, the parties hereto have caused this Agreement to be duly executed on their behalf by their authorized officers and applicably attested, all as of the day and year first above written.

SUBRECIPIENT: Harrisburg City Police Bureau

ATTEST:

Approved as to form and legality:

City of Harrisburg

By: _____

Wanda R.D. Williams
Mayor

City Law Bureau

Date: _____

Date: _____

City Controller

Date: _____

ATTACHMENT 3
JUSTICE ASSISTANCE GRANT
SUBAWARD CONDITIONS – 15PBJA-23-GG-03726-JAGX

Project Description

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program allows units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice or civil proceedings, including for any one or more of the following program 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); 8) mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams; and 9) implementation of state crisis intervention court proceedings and related programs or initiatives, including but not limited to: mental health courts; drug courts; veterans courts; and extreme risk protection order programs.

1

Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards

Consistent with Executive Order 14074, "Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety," OJP has prohibited the use of federal funds under this award for purchases or transfers of specified equipment by law enforcement agencies. In addition, OJP requires the recipient, and any subrecipient ("subgrantee") at any tier, to put in place specified controls prior to using federal funds under this award to acquire or transfer any property identified on the "controlled equipment" list. The details of the requirement are posted on the OJP web site at <https://www.ojp.gov/funding/explore/prohibited-and-controlled-equipment> (Award condition: Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards), and are incorporated by reference here.

2

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

3

Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

4

Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2022 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2022 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2022 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.334.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

5

Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

6

Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in

the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

7

Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

8

Compliance with general appropriations-law restrictions on the use of federal funds (FY 2022)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2022, are set out at <https://www.ojp.gov/funding/Explore/FY22AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

9

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

10

Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the

Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

11

Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

12

Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

13

Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

14

Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically

includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

15

OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://www.ojp.gov/funding/implement/training-guiding-principles-grantees-and-subgrantees>.

16

Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

17

Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

18

Required training for Grant Award Administrator and Financial Manager

The Grant Award Administrator and all Financial Managers for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after October 15, 2020, will satisfy this condition.

In the event that either the Grant Award Administrator or a Financial Manager for this award changes during the period of performance, the new Grant Award Administrator or Financial Manager must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after the date the Entity Administrator enters updated Grant Award Administrator or Financial Manager information in JustGrants. Successful completion of such a training on or after October 15, 2020, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://onlinegfmt.training.ojp.gov/>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

19

Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

20

Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

21

Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event

of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

22

Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

23

Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

24

All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

25

Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that --

for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

26

Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

27

Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

28

Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

29 Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

30 Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

31 Justice Information Sharing

Information sharing projects funded under this award must comply with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grant condition. The recipient (and any subrecipient at any tier) must document planned

approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

32

Avoidance of duplication of networks

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.

33

Law enforcement task forces - required training

Within 120 days of award acceptance, each current member of a law enforcement task force funded with award funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, must complete required online (internet-based) task force training. Additionally, all future task force members must complete this training once during the period of performance for this award, or once every four years if multiple OJP awards include this requirement.

The required training is available free of charge online through the BJA-funded Center for Task Force Integrity and Leadership (www.ctfli.org). The training addresses task force effectiveness, as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. If award funds are used to support a task force, the recipient must compile and maintain a task force personnel roster, along with course completion certificates.

Additional information regarding the training is available through BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).

34

Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

35

Any written, visual, or audio publications funded in whole or in part under this award, with the exception of press releases, shall contain the following statements: "This project was supported by Grant No. <AWARD_NUMBER> awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The

current edition of the DOJ Grants Financial Guide provides guidance on allowable printing and publication activities.

36

Any Web site that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service: "This Web site is funded in whole or in part through a grant from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)." The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.

37

Verification and updating of recipient contact information

The recipient must verify its Grant Award Administrator, Financial Manager, and Authorized Representative contact information in JustGrants, including telephone number and e-mail address. If any information is incorrect or has changed, the award recipient's Entity Administrator must make changes to contact information through DIAMD. Instructions on how to update contact information in JustGrants can be found at <https://justicegrants.usdoj.gov/training/training-entity-management>.

38

Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA.

The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are:

a. New construction;

b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;

c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;

d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased

as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and

e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bj.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

39

Recipients utilizing award funds for forensic genealogy testing must adhere to the United States Department of Justice Interim Policy Forensic Genealogical DNA Analysis and Searching (<https://www.justice.gov/olp/page/file/1204386/download>), and must collect and report the metrics identified in Section IX of that document to BJA.

40

Establishment of trust fund

If award funds are being drawn down in advance, the recipient (or a subrecipient, with respect to a subaward) is required to establish a trust fund account. Recipients (and subrecipients) must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2 C.F.R. 200.305(b)(8)). The trust fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate the award funds in the trust fund (including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

41

All State and Local JAG recipients must submit quarterly Federal Financial Reports (SF-425). Additionally, State JAG and Local JAG Category Two (\$25K or more) must submit semi-annual performance reports through JustGrants and Local JAG Category One (Less than \$25K) must submit annual performance reports through JustGrants. Consistent with the Department's responsibilities under the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, the recipient must provide data that measure the results of its work. The recipient must submit quarterly performance metrics reports through BJA's Performance Measurement Tool (PMT) website: <https://bjapmt.ojp.gov/>. For more detailed information on reporting and other JAG requirements, refer to the JAG reporting requirements webpage (<https://bjapmt.ojp.gov/help/jagdocs.html>). Failure to submit required JAG reports by established deadlines may result in the freezing of grant funds and future High Risk designation.

42

Required data on law enforcement agency training

Any law enforcement agency receiving direct or sub-awarded funding from this JAG award must submit quarterly accountability metrics data related to training that officers have received on the use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.

43

Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after October 1, 2022

The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (October 1, 2022), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum-- (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via an Award Condition Modification (ACM)). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Except to the extent (if any) that an award condition expressly precludes reimbursement of project costs incurred "at-risk," if and when the recipient makes a valid acceptance of this award and OJP removes each applicable withholding condition through an Award Condition Modification (ACM), the recipient is authorized to obligate (federal) award funds to reimburse itself for project costs incurred "at-risk" earlier during the period of performance (such as project costs incurred prior to award acceptance or prior to removal of an applicable withholding condition), provided that those project costs otherwise are allowable costs under the award.

44

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. With the exception of Forensic Genetic Genealogy, no profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS. Booking agencies should work with their state CODIS agency to ensure all requirements are met for participation in Rapid DNA (see National Rapid DNA Booking Operational Procedures Manual).

45

Submission of eligible records relevant to the National Instant Background Check System

Consonant with federal statutes that pertain to firearms and background checks -- including 18 U.S.C. 922 and 34 U.S.C. ch. 409 -- if the recipient (or any subrecipient at any tier) uses this award to fund (in whole or in part) a specific project or program (such as a law enforcement, prosecution, or court program) that results in any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the National Instant Background Check System (NICS), or that has as one of its purposes the establishment or improvement of records systems that contain any court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS, the recipient (or subrecipient, if applicable) must ensure that all such court dispositions, information, or other records that are "eligible records" (under federal or State law) relevant to the NICS are promptly made available to the NICS or to the "State" repository/database that is electronically available to (and accessed by) the NICS, and -- when appropriate -- promptly must update, correct, modify, or remove such NICS-relevant "eligible records".

In the event of minor and transitory non-compliance, the recipient may submit evidence to demonstrate diligent

monitoring of compliance with this condition (including subrecipient compliance). DOJ will give great weight to any such evidence in any express written determination regarding this condition.

46

Prohibition on use of award funds for match under BVP program

JAG funds may not be used as the 50% match for purposes of the DOJ Bulletproof Vest Partnership (BVP) program.

47

Certification of body armor "mandatory wear" policies, and compliance with NIJ standards

If recipient uses funds under this award to purchase body armor, the recipient must submit a signed certification that each law enforcement agency receiving body armor purchased with funds from this award has a written "mandatory wear" policy in effect. The recipient must keep signed certifications on file for any subrecipients planning to utilize funds from this award for ballistic-resistant and stab-resistant body armor purchases. This policy must be in place for at least all uniformed officers before any funds from this award may be used by an agency for body armor. There are no requirements regarding the nature of the policy other than it be a mandatory wear policy for all uniformed officers while on duty.

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards, and is listed on the NIJ Compliant Body Armor Model List. In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information and the NIJ Compliant Body Armor List may be found by following the links located on the NIJ Body Armor page: <https://nij.ojp.gov/topics/equipment-and-technology/body-armor>

48

Extreme risk protection programs funded by JAG must include, at a minimum: pre-deprivation and post-deprivation due process rights that prevent any violation or infringement of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive or procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). Such programs must include, at the appropriate phase to prevent any violation of constitutional rights, at minimum, notice, the right to an in-person hearing, an unbiased adjudicator, the right to know opposing evidence, the right to present evidence, and the right to confront adverse witnesses; the right to be represented by counsel at no expense to the government; pre-deprivation and post-deprivation heightened evidentiary standards and proof which mean not less than the protections afforded to a similarly situated litigant in Federal court or promulgated by the State's evidentiary body, and sufficient to ensure the full protections of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive and procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). The heightened evidentiary standards and proof under such programs must, at all appropriate phases to prevent any violation of any constitutional right, at minimum, prevent reliance upon evidence that is unsworn or unaffirmed, irrelevant, based on inadmissible hearsay, unreliable, vague, speculative, and lacking a foundation; and penalties for abuse of the program.

49

Expenditures prohibited without waiver

No funds under this award may be expended on the purchase of items prohibited by the JAG program statute, unless, as set forth at 34 U.S.C. 10152, the BJA Director certifies that extraordinary and exigent circumstances exist, making such expenditures essential to the maintenance of public safety and good order.

50

FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$30,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$30,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

51

Exceptions regarding Prohibited and Controlled Equipment under OJP awards

Notwithstanding any provision to the contrary in the other terms and conditions of this award, including in the condition regarding "Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards," the requirements for the "Transfer/Sale of Award-Funded Controlled Equipment to Other LEAs" and the requirements for the "Transfer/Sale of Award-Funded Controlled Equipment to NON-LEAs" do not apply to this award.

52

The recipient agrees that no funds under this grant award (including via subcontract or subaward, at any tier) may be used for unmanned aircraft systems (UAS), which includes unmanned aircraft vehicles (UAV), or for any accompanying accessories to support UAS.

53

Initial period of performance; requests for extension.

The recipient understands that for award amounts of less than \$25,000 under JAG (Category 1), the initial period of performance of the award is two years. The recipient further understands that any requests for an extension of the period of performance for an award of less than \$25,000 will be approved automatically for up to a total of two additional years, pursuant to 34 U.S.C. 10152(f) and in accordance with the program solicitation associated with this award.

Any request for an extension of the period of performance beyond a four-year award period will require approval, and the approval (if any) will be at the discretion of the Director of BJA.

54

Applicants must ensure that Limited English Proficiency persons have meaningful access to the services under this program(s). National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The U.S. Department of Justice has issued guidance for grantees to help them comply with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov.

55**Cooperating with OJP Monitoring**

The recipient agrees to cooperate with OJP monitoring of this award pursuant to OJP's guidelines, protocols, and procedures, and to cooperate with OJP (including the grant manager for this award and the Office of Chief Financial Officer (OCFO)) requests related to such monitoring, including requests related to desk reviews and/or site visits. The recipient agrees to provide to OJP all documentation necessary for OJP to complete its monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by OJP for providing the requested documents. Failure to cooperate with OJP's monitoring activities may result in actions that affect the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to award funds; referral to the DOJ OIG for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

56**Use of program income**

Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

57**Compliance with 28 C.F.R. Part 23**

With respect to any information technology system funded or supported by funds under this award, the recipient (and any subrecipient at any tier) must comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 34 U.S.C. 10231(c)-(d). The recipient may not satisfy such a fine with federal funds.

58**Protection of human research subjects**

The recipient (and any subrecipient at any tier) must comply with the requirements of 28 C.F.R. Part 46 and all OJP policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

59**Confidentiality of data**

The recipient (and any subrecipient at any tier) must comply with all confidentiality requirements of 34 U.S.C. 10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient further agrees, as a condition of award approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23.

60

The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

61

The recipient understands that, in accepting this award, the Authorized Representative declares and certifies, among other things, that he or she possesses the requisite legal authority to accept the award on behalf of the recipient entity and, in so doing, accepts (or adopts) all material requirements that relate to conduct throughout the period of performance under this award. The recipient further understands, and agrees, that it will not assign anyone to the role of Authorized Representative during the period of performance under the award without first ensuring that the individual has the requisite legal authority.

62

In accepting this award, the recipient agrees that grant funds cannot be used for Facial Recognition Technology (FRT) unless the recipient has policies and procedures in place to ensure that the FRT will be utilized in an appropriate and responsible manner that promotes public safety, and protects privacy, civil rights, and civil liberties and complies with all applicable provisions of the U.S. Constitution, including the Fourth Amendment's protection against unreasonable searches and seizures and the First Amendment's freedom of association and speech, as well as other laws and regulations. Recipients utilizing funds for FRT must make such policies and procedures available to DOJ upon request.