

**OJJDP FY 2024 Title II, Part B, Formula Grants Program
Year 1 Eligibility Assurances and Certifications**
(Submit in [JustGrants](#))

The purpose of this portion of the application is for your state to provide assurance and provide certification for its eligibility to participate in the Title II, Part B, Formula Grants Program in Year 1 of the Three-Year State Plan (FY 2024). Please refer to the [JJDP Act](#) Formula Grants Program requirements at 34 U.S.C. § 11133(a), which details the 33 requirements states must address in their Three-Year State Plan.

In order to receive formula grants under Title II, Part B, of the JJDP Act (34 U.S.C. §§ 11131–33), a state shall submit a plan for carrying out its purposes applicable to a three-year period. Such plan shall be amended annually to include new programs, projects, and activities. The state shall submit annual performance reports to the Administrator which shall describe progress in implementing programs contained in the Three-Year State Plan and shall describe how the Three-Year State Plan is supported by or takes account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents. Not later than 60 days after the date on which a plan or amended plan submitted under this subsection is finalized, a state shall make the plan or amended plan publicly available by posting the plan or amended plan on the state's publicly available website.

The state assures that its Three-Year State Plan meets the statutory state plan eligibility requirements for the Title II, Part B, Formula Grants Program under 34 U.S.C. § 11133(a).

The state must provide a plan describing how its system for compliance monitoring meets each of the following elements of an effective compliance monitoring system which is required under 34 U.S.C. § 11133(a)(14). If the state's Compliance Monitoring Policies and Procedures Manual (CMM) fully details each of these elements, the state may provide a copy of this manual in lieu of separately describing each of the elements below.

- (1) **Policy and procedures.** Pursuant to 28 C.F.R. § 31.303(f)(1)(i), the state must provide a written plan and procedure for annually monitoring adult jails, adult lockups, secure detention facilities, and secure correctional facilities. This plan must detail the state's implementation of key monitoring system elements.
- (2) **Monitoring authority.** Pursuant to 34 U.S.C. § 11133(a)(2), the designated state agency must document that it maintains requisite authority to carry out responsibilities imposed by the Formula Grants Program. This includes authority to inspect and collect data from facilities in the monitoring universe.
- (3) **Violation procedures.** Pursuant to 28 C.F.R. § 31.303(f)(1)(iii), the state's description of its monitoring system must include a description of any procedures established for receiving, investigating, and reporting alleged violations of the DSO, section 223(a)(11)(B) (Juveniles Charged as Adults), Separation, and Jail Removal requirements. This description should include any legislative and administrative procedures and sanctions that exist.
- (4) **Definition of terms.** States might have different definitions for juvenile and criminal justice terms than those in the JJDP Act at 34 U.S.C. § 11103 and provided at 28 C.F.R. § 31.304. It is

critical that any such differences are identified and fully documented. The state must indicate that where its definitions differ from federal definitions in the monitoring process, the latter will be used.

(5) **Identification of the monitoring universe.** All public and private secure detention facilities, secure correctional facilities, and jails and lockups for adults, must be identified and included in the monitoring universe, pursuant to 34 U.S.C. § 11133(a)(14).

(6) **Classification of monitoring universe.** The state must classify facilities in the monitoring universe to determine facility type (e.g., secure detention facility, secure correctional facility, or jail or lockup for adults (which category includes court holding facilities)). Factors to consider in determining a facility's classification include whether it is residential or nonresidential; and whether the population is juveniles-only, adults-only, or juveniles and adults. This information is critical to determining the applicability of the DSO, section 223(a)(11)(B) (Juveniles Charged as Adults), Separation, and Jail Removal requirements in each facility.

(7) **Inspection of facilities.** Pursuant to 28 C.F.R. § 31.303(f)(1)(i)(C), the state must inspect facilities to confirm classification and to verify that they are maintaining adequate sight and sound separation between detained juveniles and adult inmates. Such inspections must also review the record keeping system to verify that facilities maintain adequate data to demonstrate compliance with the DSO, section 223(a)(11)(B) (Juveniles Charged as Adults), Separation, and Jail Removal requirements.

(8) **Data collection and verification.** Pursuant to 28 C.F.R. § 31.303(f)(1)(i)(D), this is the actual collection and reporting of data to determine whether the facility is in compliance with the applicable core requirements. If the data are self-reported by the facility or are collected and reported by an agency other than the state agency designated pursuant to 34 U.S.C. § 11133(a)(1), the plan must provide a statistically valid procedure used to verify the reported data.

Note: The designated state agency implementing the Formula Grants Program is responsible for the state's compliance monitoring effort and the validity of the annual monitoring report; that agency may contract with a public or private agency to perform the monitoring function. ***If selecting another agency, the state must identify in its monitoring plan which agency it has authorized and/or tasked to assist in the monitoring functions. This plan should identify the funding amount and the name, address, and telephone number of the contractor. In addition, the plan should include the procedures and activities the state uses to monitor the contractual arrangement.***

CERTIFICATION

I certify that all of the information presented is correct, there has been appropriate coordination with subgrantees, and that the state will comply with the provisions of the Juvenile Justice and Delinquency Prevention Act (the Act) and all other federal laws. I acknowledge that failure to submit this completed form with all required compliance information to OJJDP signed by the appropriate certifying official, by 8:59 PM Eastern Daylight Time on August 5, 2024 will result in the state's ineligibility for FY 2024 formula grant funding.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621), and also may subject me and the applicant to civil penalties and administrative remedies for false claims or

otherwise (including under 31 U.S.C. §§ 3729–3730 and 3801–3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by the Department, including by OJP and by the Department’s Office of the Inspector General. I do hereby certify that if violation of any of these assurances or of the Act provisions occurs, OJJDP will be promptly notified in writing.

Signature of Certifying Official (Designated State Agency Head or Management Official Designee)

Printed Name of Certifying Official

Title of Certifying Official

Name of State/Jurisdiction

Name of Designated State Agency

Date