



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Office of Juvenile Justice and Delinquency Prevention](#) (OJJDP), is pleased to announce that it is seeking applications for funding under the OJJDP FY 09 Title II Formula Grants Program. This program furthers the Office's mission by providing funding to the states to develop programs to address juvenile delinquency and improve the juvenile justice system.

OJJDP FY 09 Title II Formula Grants Program

Eligibility

Applicants are limited to the agency that the chief executive officer (i.e., the governor) of each state designates.

(See "Eligibility," page 3.)

Deadline

Registration with [GMS](#) is required prior to application submission.

(See "Registration," page 3.)

All applications are due by 8:00 p.m., Eastern Time, on March 31, 2009.

(See "Deadline: Application," page 3.)

Contact Information

For assistance with the requirements of this solicitation, contact your OJJDP State Representative at (202) 307-5924 or Lawrence Fiedler, Formula Grants Program Manager at OJJDP, at (202) 514-8822 or Lawrence.Fiedler@usdoj.gov.

This application must be submitted through OJP's [Grants Management System](#) (GMS). For technical assistance with submitting the application, call the GMS Support Hotline at 1-888-549-9901, option 3.

Note: The hours of operation for the GMS Support Hotline are Monday–Friday, 7:00 a.m. to 9:00 p.m., Eastern Time.

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OJJDP FY 09 Title II Formula Grants Program

CFDA Number: 16.540

Overview

The Formula Grants Program is authorized under Sections 221–223 of the Juvenile Justice and Delinquency Prevention Act (JJDP Act), 42 U.S.C. §§ 5631–5633. To simplify the Formula Grants application process, Congress revised the JJDP Act, Public Law 93-415, as amended and codified at §§ 5601 *et seq.*, to allow states to submit a plan to cover a 3-year period. To conform to this objective, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) began using a 3-year program planning cycle with its fiscal year (FY) 1982 applications. States must update their plan annually to cover new or modified state programs or objectives that address specific requirements in the JJDP Act. This announcement contains instructions applicable to the FY 2009 Formula Grants application and the comprehensive FY 2009 to 2011 3-Year Plan.

Deadline: Registration

Applicants must register with GMS prior to applying. The GMS registration deadline is 8:00 p.m., Eastern Time, March 31, 2009.

Deadline: Application

The due date for applying for funding under this announcement is 8:00 p.m., Eastern Time, March 31, 2009.

Eligibility

Only the agency that the chief executive (i.e., the governor) of each state designates is eligible to apply for these funds. The term “state” means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. Applicants who do not meet this criterion are ineligible to apply under this solicitation.

Subgrant Opportunities for Faith-Based and Other Community Organizations. Although faith-based and other community organizations are statutorily ineligible to apply for Formula Grant funds, OJJDP encourages them to respond to the requests for proposals from the state agency that administers these funds. Contact information for juvenile justice specialists in state agencies that administer the Formula Grants Program is available at ojjdp.ncjrs.gov/statecontacts/resource/elist.asp.

State grantees must consider faith-based and other community organizations for awards on the same basis as other eligible applicants and, if these organizations receive assistance awards, the state will treat them on an equal basis with all other subgrantees in the administration of such awards. No eligible applicant or grantee will be favored or discriminated against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization.

Faith-based organizations receiving DOJ assistance funds passed through states retain their independence and do not lose or have to modify their religious identify (e.g., removing religious symbols) to receive assistance awards. Faith-based groups, however, may not use their DOJ award to fund any inherently religious activity, such as prayer or worship. Inherently religious activity is permissible, although it cannot occur during an activity funded with DOJ funds; rather, such religious activity must be separate in time or place from the DOJ-funded program. Further, participation in such activity by individuals receiving services must be voluntary. Programs that DOJ funds are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion.

If the subgrant applicant is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled, under the Religious Freedom Restoration Act, 42 U.S.C. § 2000bb, to receive federal funds and yet maintain that hiring practice, even if the law creating the funding program contains a general ban on religious discrimination in employment. For the circumstances under which this may occur, and the certifications that may be required, visit the [Civil Rights Compliance](#) link, under "Additional Requirements" in this announcement.

OJJDP encourages applicants to review the Civil Rights Compliance section under "Additional Requirements," in this announcement.

Program-Specific Information

- **Purpose**

This program supports state and local efforts in planning, establishing, operating, coordinating, and evaluating projects directly or through grants and contracts with public and private agencies for the development of more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice system.

OJJDP encourages states, contingent on their demonstration of compliance with each of the core requirements of the JJDP Act, to focus their Formula Grants resources on programs that target their serious and violent juvenile offender population. States should give priority considerations to the following Formula Grant program areas: aftercare/reentry, gangs, school safety programs, and serious crime.

- **Goals, Objectives, and Deliverables**

The goal of this program is to improve juvenile justice systems by increasing the availability and types of prevention and intervention programs and juvenile justice system improvements. The objective of the program is to support both state and local efforts in the above areas. State grantees will submit annual performance measurement-based progress reports.

- **Award Information**

Awards are for a 3-year project and budget period from October 1, 2008, to September 30, 2011. Applicants should use FY 2008 state allocations, as provided in Appendix B, for planning purposes. OJJDP will notify states about FY 2009 state allocations in accordance with statutes appropriating funds for FY 2009.

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. OJJDP anticipates that any awards that may be made under this solicitation should be awarded no later than September 30, 2009.

Limitation on Use of Award Funds for Employee Compensation; Waiver. No portion of any award of more than \$250,000 made under this solicitation may be used to pay any portion of the total cash compensation (salary plus bonuses) of any employee of the award recipient whose total cash compensation exceeds 110 percent of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (The salary table for SES employees is available at www.opm.gov.) This prohibition may be waived at the discretion of the Assistant Attorney General for the Office of Justice Programs. An applicant that wishes to request a waiver must include a detailed justification in the budget narrative of the application.

Match Requirement.

State grantees may use no more than 10 percent of their Formula Grant allocation for planning and administration. The state must match planning and administration funds dollar for dollar (i.e., 100% = 1.00). (See "Budget Worksheet," page 21).

Allowed planning and administration funds: up to 10% X total award amount = required match.
See Section 222 (c) of the JJDP Act.

Performance Measures

To assist DOJ in fulfilling its responsibilities under the Government Performance and Results Act, Pub. L. 103-62, applicants that receive funding under this solicitation must provide data that measures the results of their work. For this solicitation, OJJDP has identified mandatory performance measures (outlined in the table below) for which OJJDP will require applicants to submit data during the grant period. In their proposal narrative, applicants must describe their understanding of the mandatory performance measures and must discuss their data collection methods. Mandatory performance measures for this solicitation are as follows:

Objectives	Performance Measures	Data Grantee Provides
<p>Program goals will depend on the specific project funded, and program area(s) selected.</p> <p>Examples of objectives may include prevention of delinquency risk behaviors, improvement of family functioning, or prevention of child victimization (including abuse and neglect).</p>	<p>The following are mandatory measures for all Title II grantees.</p> <p>Grantees may also select any additional outcome or output measures applicable to the program areas selected.</p> <p>Percent of program youth who complete program requirements.</p> <p>Percent of youth with whom an evidence-based program or practice was used.</p> <p>Percent of program youth who offend or re-offend.</p> <p>Percent of program youth who exhibit desired change in targeted behaviors.</p>	<p>OJJDP has an online system (www.ojjdp-dctat.org) for grantee transmittal of performance measures data. For detailed information on specific measures and resources, see OJJDP's Performance Measures Center (ojjdp.ncjrs.gov/grantees/pm)</p> <p>Number of program youth served.</p> <p>Number of program youth completing program requirements.</p> <p>Number of youth with whom an evidence-based program and/or practice was used.</p> <p>Number of program youth who offend or re-offend.</p> <p>Number of program youth who exhibit a desired change in the targeted behaviors.</p>

For more information about OJJDP performance measures, see www.ojjdp.ncjrs.gov/grantees/pm/ or contact Janet Chiancone at janet.chiancone@usdoj.gov.

How To Apply

Grants Management System Instructions. Applications must be submitted through OJP's online Grants Management System (GMS). To access the system, go to <https://grants.ojp.usdoj.gov>. Applicants should begin the process a few weeks prior to the GMS registration deadline, especially if this is the first time they have used the system. Each application requires a separate GMS registration. For a step-by-step guide, visit www.ojp.gov/gmscbt/ and refer to the section entitled "External Overview: Locating & Applying for Funding Opportunities." For additional assistance, call the GMS Support Hotline at 1-888-549-9901, option 3, from 7:00 a.m. to 9:00 p.m., Eastern Time.

Note: OJP cannot accept any application with attachments in Microsoft Vista or Microsoft 2007 format. Applications submitted via GMS must be in the following word processing formats: Microsoft Word (.doc), WordPerfect (*.wpd), PDF files (*.pdf), or Text Documents (*.txt) and may include Microsoft Excel (*.xls) files. GMS is not yet compatible with Vista and cannot yet process Microsoft Word 2007 documents saved in the new default format with the extension ".docx." Please ensure the documents you are submitting are saved using "Word 97-2003 Document (.doc)" format. Additionally, GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

CFDA Number. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.540, titled “Juvenile Justice and Delinquency Prevention – Allocation to States.”

DUNS Number. The Office of Management and Budget requires that all businesses and nonprofit applicants for federal funds include a Data Universal Numbering System (DUNS) number in their application for a new award or renewal of an award. Applications without a DUNS number are incomplete. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and tracking entities receiving federal funds. The identifier is used to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, simple, one-time activity. Call 1-866-705-5711 or apply online at <http://www.dnb.com/us/>. Individuals are exempt from this requirement.

Central Contractor Registration. OJP requires that all applicants for federal financial assistance, other than individuals, maintain current registrations in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR at least once per year to maintain an active status. Information about registration procedures can be accessed at www.ccr.gov.

What an Application Must Include

Standard Form–424

Applicants must complete the Application for Federal Assistance (SF–424), a standard form that most federal agencies use, following the instructions it provides.

Program Narrative (Attachment 1)

This attachment should include the Comprehensive 3-Year Plan Components for Fiscal Years 2009–2011.

This attachment must address the following:

- 1. Structure and Function of the Juvenile Justice System.** This description should include information on the organization, responsibilities, and functions of the major components of the formal juvenile justice system. Generally, this would include law enforcement, juvenile detention and other pretrial programs, courts, corrections, and community-based programs for delinquent and status offenders.
- 2. Analysis of Juvenile Crime Problems and Juvenile Justice Needs.** States should base this analysis on the system description in section 1 above and include conditions they consider or determine to be relevant to addressing juvenile justice and delinquency prevention problems.

A. Analysis of Juvenile Crime Problems¹

As part of the 3-year planning process, Section 223(a)(7) of the JJDP Act requires the state to conduct an analysis of current juvenile crime problems (including juvenile gangs that commit crimes) and juvenile justice and delinquency prevention and educational needs within the state, including those geographic areas in which tribes perform law enforcement functions. This section should summarize the number and characteristics of youth handled at each stage of the process, from arrest through disposition. Applicants must provide a minimum of 3 years of recent data for the areas listed below and the most recent data to the extent possible by county, parish, or city. If the requested data is not available, applicants must describe the problem in obtaining the data and plans to improve collection and reporting efforts, including designated resources for improvement in this area.

Applicants should view the data reporting requirements below as the minimum needed for this section of the juvenile crime analysis. They should expand the information within the recommended categories 1–4 below if relevant to analyzing current juvenile crime problems and juvenile justice needs.

- (1) Juvenile arrests by offense type, gender, age, and race.
- (2) Number and characteristics (by offense type, gender, race, and age) of juveniles referred to juvenile court, a probation agency, or special intake unit for allegedly committing a delinquent or status offense.
- (3) Number of cases handled informally (nonpetitioned) and formally (petitioned) by gender, race, and type of disposition (e.g., diversion, probation, commitment, residential treatment).
- (4) Number of delinquent and status offenders admitted, by gender and race, to juvenile detention facilities and adult jails and lockups (if applicable).
- (5) Other social, economic, legal, and organizational conditions considered relevant to delinquency prevention programming.

B. State Priority Juvenile Justice Needs/Problem Statements

The product of the above analysis of juvenile crime problems shall be a series of problem statements. The state must establish a priority ranking for each problem statement, and applicants should list and discuss them in order of priority. A problem statement is defined as a written presentation that describes the magnitude, seriousness, rate of change, persons affected, and other aspects of a problem using qualitative and quantitative information. It identifies the nature, extent, and effect of system response, makes projections based upon historical precedent, and rigorously attempts to address the origins of the problem. Applicants should link the problem statements to the current data and needs analysis, the requirements of the JJDP Act, the functions of the juvenile justice system, geographic locations, and, whenever possible, related socioeconomic factors. A problem statement is a clear and succinct

¹ Include the extent of disproportionate minority contact (DMC) as displayed by DMC Identification Spreadsheets and their discussion in the DMC Compliance Plan.

summary that reflects the results of the analysis undertaken. It does not necessarily represent all the analysis undertaken or all data collected for any given problem.

Aside from expenditures for planning and administration and state advisory group (SAG) allocations (see Appendix D, program areas 23 and 31, respectively), these data-based problem statements and their priority ranking provide the state with the basis for developing its 3-year plan for funding juvenile justice programs.

3. Plan for Compliance With the First Three Core Requirements of the JJDP Act and the State's Compliance Monitoring Plan. Plans should be data-based and program specific, including the necessary "who, what, where, how, and when."

The comprehensive 3-year plan must include:

A. Plan for Deinstitutionalization of Status Offenders (DSO)

Pursuant to Section 223(a)(11) of the JJDP Act, the state must develop a plan that ensures status offenders and nonoffenders are not placed in secure detention or secure correctional facilities, except as allowed by *OJJDP's Guidance Manual for Monitoring Facilities Under the Juvenile Justice and Delinquency Prevention Act of 2002* (revised January 2007).

This plan should include trend analysis of the state's DSO rates in preceding years (i.e. rates are increasing or decreasing and why). In addition, it should discuss the nature of DSO violations the state has typically experienced (e.g. status/nonoffenders in jails or lockups, accused status offenders held in juvenile detention centers for more than 24 hours, incorrect or inappropriate usage of the valid court order (VCO) exception, etc.). The state's plan for achieving or maintaining compliance with DSO must relate directly to this analysis of violations.

For states currently in compliance with DSO, the plan must provide a strategy for maintaining compliance, including information on how the designated state agency and state advisory group (SAG) will work together to address those circumstances in which DSO violations have tended to occur. Please also address any legislative or other changes that could impact the state's compliance.

For those states not in compliance with DSO, the plan must provide detailed goals, objectives, and action steps for achieving full compliance, including the individual responsible for each step and the date by which it will occur. An overall timetable for achieving compliance is also required. In addition, the strategy should include information on how the SAG will be involved. Goals, objectives, and activities must be directly tied to those circumstances in which DSO violations have occurred. Please also address any legislative or other changes that could impact the state's compliance.

B. Plan for Separation of Juveniles from Adult Offenders

Pursuant to Section 223(a)(12) of the JJDP Act, the state must develop a plan that ensures juveniles alleged to be or found to be delinquent and status offenders shall not have contact with adult inmates who are incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges.

This plan should include trend analysis of the state's separation rates in preceding years (i.e. rates are increasing or decreasing and why). In addition, it should discuss the nature of separation violations the state has typically experienced (e.g. problems with adult trustees, physical plant issues in older facilities, etc.). The state's plan for achieving or maintaining compliance with separation must relate directly to this analysis of violations.

For states currently in compliance with separation, the plan must provide a strategy for maintaining compliance, including information on how the designated state agency and SAG will work together to address those circumstances in which separation violations have tended to occur. Please also address any legislative or other changes that could impact the State's compliance.

For those states not in compliance with separation, the plan must provide detailed goals, objectives, and action steps for achieving full compliance, including the individual responsible for each step and the date by which it will occur. An overall timetable for achieving compliance is also required. In addition, the strategy should include information on how the SAG will be involved. Goals, objectives, and activities must be directly tied to those circumstances in which separation violations have occurred. Please also address any legislative or other changes that could impact the state's compliance.

For any state that utilizes the same staff to serve both adult and juvenile populations in approved collocated juvenile detention facilities, there must be a policy in effect requiring individuals who work with both juveniles and adult inmates to be trained and certified to work with juveniles. The state must submit a copy of this policy, including a description of the training and certification process, with this application.

C. Plan for Removal of Juveniles from Adult Jails and Lockups

Pursuant to Section 223(a)(13) of the JJDP Act, the state must develop a plan that ensures no juvenile shall be detained or confined in any adult jail or lockup, except as OJJDP's Guidance Manual for Monitoring Facilities Under the Juvenile Justice and Delinquency Prevention Act of 2002 (revised January 2007) allows.

This plan should include trend analysis of the state's jail removal rates in preceding years (i.e. rates are increasing or decreasing and why). In addition, it should discuss the nature of jail removal violations the state has typically experienced (e.g. status offenders held securely in adult facilities, 6-hour rule violations, incorrect or inappropriate usage of the rural exception, etc.). The state's plan for achieving or maintaining compliance with jail removal must relate directly to this analysis of violations.

For states currently in compliance with jail removal, the plan must provide a strategy for maintaining compliance, including information on how the designated state agency and SAG will work together to address those circumstances in which jail removal violations have tended to occur. Please also address any legislative or other changes that could impact the state's compliance.

For states not in compliance with jail removal, the plan must provide detailed goals, objectives, and action steps for achieving full compliance, including the individual responsible for each step and the date by which it will occur. An overall timetable for achieving compliance is also required. In addition, the strategy should include information on how the SAG will be involved. Goals, objectives, and activities must be

directly tied to those circumstances in which jail removal violations have occurred. Please also address any legislative or other changes that could impact the state's compliance.

For states that use or seek to use the rural removal exception, Section 223(a)(13)(B) and OJJDP regulations provide for a rural removal exception with regard to juveniles accused of delinquent offenses, held in certain rural areas, and who are awaiting an initial court appearance. Under certain circumstances, such juveniles may be temporarily detained beyond the 6-hour time limit. It is important to note that the rural removal exception does not apply to status offenders. Status offenders may not be held securely for any length of time in an adult jail or lockup. States must receive prior approval from OJJDP to use the rural exception.

All states that have previously received OJJDP approval to use the rural exception must complete the Rural Removal Exception Certification form (Appendix H) certifying that approved facilities continue to meet the required conditions. This form should be signed by the juvenile justice specialist and submitted with the state's formal grant application.

States may submit requests for newly identified facilities at any time to their OJJDP State Representative or to Lawrence Fiedler. OJJDP must approve any use of the rural exception for any new facility prior to utilization.

D. Plan for Compliance Monitoring for the First Three Core Requirements of the JJDP Act

Pursuant to Section 223(a)(14) of the JJDP Act, the state must provide for an adequate system of monitoring jails, lockups, detention facilities, correctional facilities, and nonsecure facilities to ensure that the core protections are met.

Please provide a plan describing how the state's system for compliance monitoring meets each of the following 10 elements of an adequate compliance monitoring system:

- (1) **Policy and Procedures.** As an attachment to this application, please provide a copy of the state's compliance monitoring policy and procedures manual. If this plan is available online, you may, as an alternative, provide a link to where it can be printed or downloaded. If the manual is not available in an electronic format, states may also provide a hard copy of this document to their State Representative.

If the state does not maintain a compliance monitoring policy and procedures manual, please provide the state's plan for developing such a document along with an estimated date for completion.

- (2) **Monitoring Authority.** The agency(s) responsible for compliance monitoring should have legal authority to inspect and collect data from all facilities in which juveniles might be placed pursuant to public authority. As an attachment to this application, please provide a copy of the legislative statute or executive order that provides the designated state agency with this authority. If this information is included in the above-referenced policies and procedures manual, please provide the specific page or appendix number.

- (3) **Monitoring Timeline.** States must keep an annual calendar demonstrating when and where compliance monitoring will occur. As an attachment to this application, please provide a copy of the state's monitoring timetable. If this information is included in the above-referenced policies and procedures manual, please provide the specific page or appendix number.
- (4) **Violation Procedures.** This section of the plan must describe the legislative and administrative procedures and sanctions that the state has established to receive, investigate, and report compliance violations. If an agency other than the designated state agency is responsible for monitoring, describe how that agency maintains accountability for compliance with this requirement. If this information is included in the policies and procedures manual, please provide the specific page number where it can be found.
- (5) **Barriers and Strategies.** Please provide a written description of barriers the state faces in implementing an adequate system of compliance monitoring. This description must include strategies employed to overcome the barriers identified. If an up-to-date description of barriers and strategies is included in the policies and procedures manual, please provide the specific page number where it can be found.
- (6) **Definition of Terms.** States' definitions for key juvenile and criminal justice terms may differ from those provided in the JJDP Act. It is critical that these differences are identified and addressed in the monitoring process. Please provide a discussion of how key state terms differ from those provided in the federal act. If this information is included in the policies and procedures manual, please provide the specific page number where it can be found. In addition, the state must certify that where state definitions differ from federal definitions in the monitoring process, federal definitions will be used in the monitoring process.
- (7) **Identification of the Monitoring Universe.** This refers to the identification of all facilities in the state that might hold juveniles pursuant to public authority and where a violation of a core requirement is possible. Every facility that has this potential, regardless of the purpose for housing juveniles, comes under the purview of the monitoring requirements. This list may include both public and privately owned or operated facilities. If a detailed description of the state's identification process is included in the policies and procedures manual, please provide the specific page number where it can be found.
- (8) **Classification of Monitoring Universe.** This is the classification of all facilities in the state to determine which ones should be considered a secure detention or correctional facility, adult correctional institution, jail, lockup, or other type of secure or nonsecure facility. Moreover, classification also includes determining whether a facility is public or private, residential or nonresidential, and whether the population is juvenile only, adult only, or juvenile or adult. If a detailed description of the state's classification process is included in the policies and procedures manual, please provide the specific page number where it can be found.
- (9) **Inspection of Facilities.** Inspection is necessary to ensure an accurate assessment of each facility's classification and record keeping. All facilities classified as secure detention or correctional facilities, jails, lockups, and other facilities must have periodic, onsite inspections to determine that they comply with Sections 223(a)(11),

(12), and (13) of the JJDP Act. If a detailed description of the state's inspection process is included in the policies and procedures manual, please provide the specific page number where it can be found.

- (10) **Data Collection and Verification.** States are required to collect and report data to determine whether facilities in the state comply with the applicable requirements of deinstitutionalization of status offenders (DSO), jail removal, and separation. If the facility self-reports the data or an agency other than the state agency receiving federal grant funds collects and reports the data, the plan must describe a statistically valid procedure used to verify the reported data. On-site data verification must involve the review of data self-reported by a facility, including a review of the facility's admissions records and/or booking logs. If a detailed description of the state's process for data collection and verification is included in the policies and procedures manual, please provide the specific page number where it can be found.

Although OJJDP holds the DSA implementing the Formula Grants program responsible for the compliance monitoring effort and the validity of the annual monitoring report, the DSA 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 has been 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.

4. Plan for Compliance with the Disproportionate Minority Contact Core Requirement

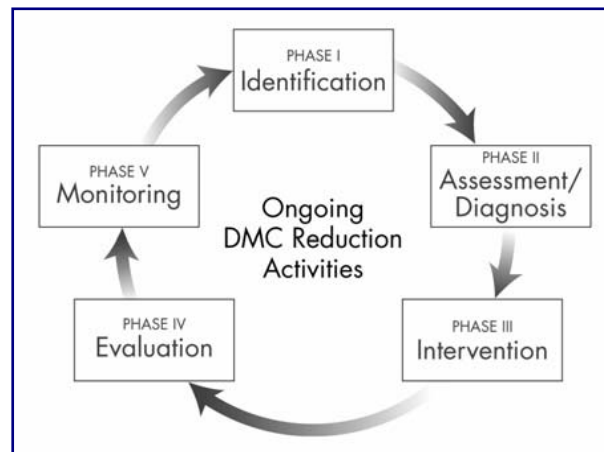
Pursuant to section 223(a)(22) of the JJDP Act of 2002, states and territories must address specific delinquency prevention and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile numbers of minority groups who come into contact with the juvenile justice system. Disproportionate minority contact (DMC) exists if the rate of contact with the juvenile justice system of a specific minority group is significantly different than the rate of contact for non-Hispanic whites or for other minority groups. The method that OJJDP has selected to use to determine the extent of DMC is the Relative Rate Index (RRI). This method involves comparing the relative rate of activity for each major stage of the juvenile justice system for minority and white youth. This method provides a single index number that indicates the extent to which the rate of a particular contact or activity differs for minority and white youth. By using rates of activity to reflect the relative volume of activity, this process provides a means to take into account the relative size of the minority and white populations and the relative amount of activity in each stage of the juvenile justice system. It should be noted that this method does not calculate the odds of particular types of contact, since one is not tracking individual youth across time but rather comparing relative rates of activity within a specific time period. That relative rate may be created by the rapid turnover of a few youth or may be the result of a lower level of involvement of a large number of youth.

The purpose of this core requirement is to ensure equal and fair treatment for every youth (regardless of membership in a minority or majority population group) involved in the juvenile justice system. A state achieves compliance with this core requirement when it meets the following requirements by addressing DMC on an ongoing basis through identification (identify the extent to which DMC exists), assessment (examine and determine the factors

that contribute to DMC, if it exists), intervention (develop and implement strategies to reduce DMC), evaluation (evaluate the efficacy of intervention strategies), and monitoring (track changes in DMC trends over time).

All states and territories, except for Puerto Rico, which has been exempted by the U.S. Census Bureau from reporting racial statistics, shall submit DMC Identification Spreadsheets as part of the DMC Compliance Plan in their 3-year plans. When a state determines that DMC exists, it shall provide in its 3-year plan, and the subsequent updates, a plan which complies with the implementation guidelines below. Responses to the 2009 DMC Plan must address the five phases of the DMC Reduction Cycle.

DMC Reduction Cycle



Phase I: Identification

The purpose of the identification phase of a state's DMC effort is to determine whether disproportionality exists and the extent to which it exists. This requires between race comparisons to be made within targeted jurisdictions. By collecting and examining data on the volumes of occurrence at the major contact/decision points in the juvenile justice system, states and territories can determine whether overrepresentation exists, in which jurisdictions it may exist, and the degree to which it exists at any contact/decision point within the juvenile justice system (See Disproportionate Minority Contact Technical Assistance Manual, 3rd Edition for detailed descriptions of the juvenile justice system contact points).

- (1) **Updated DMC Identification Spreadsheets (Attachment 2).** OJJDP requires states to enter the most recent available statewide data and at least three targeted jurisdictions with the highest minority concentrations or, preferably, the localities with focused DMC-reduction efforts into its Web-based DMC Data Entry System at www.ojjdp.dmcddata.org/. Export the Relative Rate spreadsheets to GMS and label as "Attachment #2." Please identify the jurisdiction when exporting to GMS (example: Attachment #2: Smith County/Township).

(2) **DMC Data Discussion.** Please provide responses to the following:

- (a) When quantifiable documentation is unavailable or incomplete to determine whether DMC exists or changes, the state must provide a time-limited plan of action for developing and implementing a system to routinely collect the data needed to track progress in DMC reduction and demonstrate consistent improvement in this area.
- (b) Discuss the Relative Rates Indexes (RRIs) obtained, make comparisons between the updated data and data obtained in earlier years, and illustrate how the data inform/guide the state's FY 2009-2011 DMC Compliance Plan.

Phase II: Assessment/Diagnosis

When a state or territory identifies that DMC exists, it must undertake an assessment. States should also undertake targeted assessments when they note significant changes in the Relative Rate Indexes at particular contact/decision points, or after they implement significant changes in laws, procedures, and policies within the juvenile justice system that may negatively impact DMC. A DMC assessment is a comprehensive analysis utilizing advanced research methodologies to identify the contributing factors and examine minority over-representation and explain differences at all contact stages of the juvenile justice system. It should also include recommendations for specific intervention strategies.

Please provide responses to the following:

- (1) Provide a brief summary of the findings of the statewide DMC assessment and any contributing mechanisms identified (Please see the Appendix for examples of major mechanisms contributing to DMC).
- (2) If a statewide DMC assessment has not been conducted or completed, please provide a time-limited plan for completing this assessment and/or any technical assistance needed.

Phase III: Intervention

Each state's DMC compliance plan shall, where DMC has been demonstrated and contributing factors determined, provide an intervention plan for reduction. The state shall base the plan on the results of the identification data and assessment findings. It should also target comprehensive prevention programming and system improvement efforts to communities where DMC is most prominent and those contact stages of the system where major disproportionate rates occur. Ultimately, the intervention efforts should address any individual, family, community, systemic (juvenile justice, education, etc.), and related laws and policies that may contribute to DMC.

Please provide responses to the following:

- (1) **Progress Made in FY 2008:** Discuss the status of each of the planned activities in the FY 2008 DMC Compliance Plan. States with significant local DMC-reduction efforts should complete this section for each individual locality.
 - (a) Which activities have been implemented? Discuss specific progress made.

- (b) Which activities were not implemented? Discuss the reason that prevented implementation and plans to overcome these obstacles.

(2) DMC Reduction Plan for FY 2009 – 2011:

- (a) Include specific activities in data collection, data system improvement, assessment, programmatic and systems improvement intervention, evaluation, and monitoring strategies.
- (b) Specify the timeline (i.e., FY 2009, FY 2010, and FY 2011), funding amount, and funding source(s) designated to conduct each of the planned activities.
- (c) Include planned Formula Grant-supported activities under "Program Descriptions" section below with amount budgeted and required descriptions of goals, objectives, and performance measures selected to document the output and outcomes of these activities.

Phase IV: Evaluation

States shall evaluate the efficacy of their efforts to reduce DMC. At a minimum, all intervention strategies to reduce DMC shall include specific goals, objectives, activities, and selected performance measures. Some states have conducted formal process and/or outcome evaluations of DMC activities.

If applicable, please include a brief summary of findings of any formal process or outcome evaluation related to DMC activities (i.e. those that contain a specific research methodology used to evaluate the program's effectiveness).

If no formal process or outcome evaluation has been conducted, please write "Not applicable."

Phase V: Monitoring

States and their selected localities shall monitor and track changes in DMC trends over time to identify emerging critical issues and to determine whether there has been progress in reduction. The ultimate question that jurisdictions must answer is: Has DMC been reduced? Whether such a change is directly attributable to specific DMC efforts is a secondary issue that requires a specific evaluation study.

Please provide responses to the following:

- (1) Include a description of how the state will monitor and track changes in DMC trends over time.
- (2) Indicate who will monitor these activities. If this is a DMC coordinator, please indicate if the position is full or part-time.
- (3) Provide a timeline of current and/or future monitoring activities.

5. Coordination of Child Abuse and Neglect and Delinquency Programs

The JJDP Act emphasizes interagency coordination and collaboration in addressing the prevention and treatment of juvenile delinquency. Applicants may fund such programming under program area 19 (see Appendix D).

- A. Reducing Probation Officer Caseloads.** Pursuant to Section 223(a)(25) of the JJDP Act, the state may provide incentive grants to units of general local government that reduce the caseload of probation officers. Funds reserved for this purpose may not exceed 5 percent of the state's allocation (other than funds made available to the SAG).
- B. Sharing Public Child Welfare Records with Juvenile Courts.** Pursuant to Section 223(a)(26) of the JJDP Act, the state shall, to the maximum extent practicable, implement a system to ensure that if a juvenile is before a court in the juvenile justice system, that juvenile's public child welfare records (including child protective services records) for the geographical area under the jurisdiction of that court will be made known to the court.
- C. Establishing Policies and Systems to Incorporate Child Protective Services Records into Juvenile Justice Records.** Pursuant to Section 223(a)(27) of the JJDP Act, the state shall establish policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing and implementing treatment plans for juvenile offenders.

Pursuant to Section 223(a)(28) of the JJDP Act, this section of the application must provide an assurance that juvenile offenders whose placement is funded through Section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in Section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in Section 475 of such Act (42 U.S.C. 675).

6. Collecting and Sharing Juvenile Justice Information

To better understand the difficulties state agencies that administer the Formula Grants Program encounter in collecting and sharing juvenile justice information, OJJDP requests that the states provide the following information in their FY 2009 Formula Grants application:

- A.** A description of the state's process for gathering juvenile justice information and data across state agencies—i.e. state departments of education and welfare, mental health services, local law enforcement—and how the state makes this information available across agencies and incorporates the data into its comprehensive 3-year plan and annual plan updates.
- B.** Identify specific barriers the state encounters with the sharing of juvenile information of at-risk youth among state agencies, including local law enforcement, i.e. where state statute, regulation, or policy prohibits the sharing of this information.

States are to direct sufficient resources to accomplish this effort and increase the capacity to implement new or improve existing juvenile justice information sharing systems.

7. Statement of the Problem/Program Narrative

Applicants must briefly describe the nature and scope of the problem that the program(s) they will support with FY 2009 Formula Grant funds will address (e.g., gang activity, underage drinking, drug abuse, truancy, youth employment, school performance, etc.). Programs are groups of projects with common or similar goals. Applicants should use local data to provide evidence that the problem exists, demonstrate the size and scope of the problem, and document the effects of the problem on the target population and the larger community. Applicants should describe any previous or current attempts to address the problem.

Applicants should describe any research or evaluation studies that relate to the problem and contribute to the applicant's understanding of its causes and potential solutions. While OJJDP expects applicants to review the research literature for relevant studies, they should also explore whether unpublished local sources of research or evaluation data are available.

Please address each item below for each program:

- A. Program Area Code and Title.** Use only OJJDP's codes and titles available in Appendix D. Applicants should bear in mind that some program area codes have been changed and that a 35th program area, Strategic Community Action Planning, has been added. Use the correct code in the application.
- B. Program Goals.** Provide a broad statement that conveys in general terms the program's intent to change, reduce, or eliminate the problem described. Goals identify the program's intended short- and long-term results.
- C. Program Objectives.** Explain how the program will accomplish the goals. Objectives are specific, quantifiable statements of the program's desired results, and they should include the target level of accomplishment, thereby further defining goals and providing the means to measure program performance.
- D. Activities and Services.** Provide the specific steps or projects that the state will take or fund to accomplish each objective. This part of the program description must summarize which agencies will implement the program, where and when activities will take place, the specific services that the applicant will provide, who will benefit from the services, and the target population. This section must indicate how the program relates to similar state or local programs directed at the same or similar problems.
- E. Performance Measures.** Represent the data and information that all subgrantees in this program area will collect at the program level to measure the specific outputs and short- and long-term outcomes their programs are designed to achieve. States must collect and report data on the mandatory performance measures for each applicable program area. Although not required, states may collect and report on nonmandatory measures if they choose.

States are to report the aforementioned performance measures on-line via the Data Collection Technical Assistance Tool (DC-TAT). For more information on performance measures and DC-TAT, please go to <http://www.ojjdp-dctat.org/>

F. Budget. Present total federal funds the state plans to use in this program area from its Formula Grant allocation, along with any expected state, local, or private funds:

Fiscal Year	Formula Grant Funds (\$)	State/Local/Private Funds (\$)	Total (\$)
2009			
2010			
2011			

G. SMART. Applicants must demonstrate that they have queried OJJDP’s Socioeconomic Mapping and Resource Topography (SMART) system to determine program placement in a community facing significant need. Maps and reports generated that support the problem identified in this section should be submitted as attachments to the application. If the SMART System does not provide the most recent data or information to validate the problem, additional data points (e.g., local incidents of crime or community resources), as identified by the applicant, may be submitted instead. Discretionary grant applicants are strongly encouraged to use the enhanced functionality in the SMART system when justifying the need for funding in their locality. Potential subgrant applicants also should be encouraged to use the SMART system (or an analogous GIS application) when applying for funds from the administering agencies of OJJDP’s formula and block grant programs. All applicants must register with the SMART system at smart.gismapping.info, and become familiar with the data, information, and functionality. Instructions specific to the FY 2009 solicitations will be posted on the home page of the SMART site. OJJDP is available to provide additional training and guidance on the SMART system and this new requirement.

8. Subgrant Award Assurances

Pursuant to Section 223(a)(21)(A) and (B) of the JJDP Act, states shall, to the extent practicable, give priority in funding to evidence-based programs and activities. Further, under Section 223(a)(21)(C) of the JJDP Act, states shall not continue to fund a program if the subgrant recipient who carried out that program during the preceding 2-year period fails to demonstrate that the program achieved substantial success in meeting the goals specified in the original subgrant application. Applicants should describe the process that the state will use to assure the implementation of the preceding requirements of the subgrant award process.

To enable local subgrantees to implement evidence-based juvenile justice programs, OJJDP has developed the Model Programs Guide and Database, a searchable Web site containing information on the full range of evidence-based juvenile justice programs, from delinquency prevention and intervention to reentry (see http://www.dsgonline.com/mpg2.5/mpg_index.htm). Communities can use the database to locate evidence-based juvenile justice strategies that will fit their needs and enhance their likelihood for success.

9. SAG Membership

Pursuant to Section 223(a)(3)(A) of the JJDP Act, the state advisory group shall consist of not less than 15 and not more than 33 members appointed by the chief executive officer of the state. At least one member shall be a locally elected official representing general purpose local government. At least one-fifth of the members shall be younger than 24 years old at the time of appointment. At least three members shall have been or currently be under the jurisdiction of the juvenile justice system. A majority of the members (including the chairperson) shall not be full-time employees of federal, state, or local government. The membership qualifications are described in subsections i–v of Section 223(a)(3)(A) of the JJDP Act, as amended. (See Appendix G for detailed membership instructions and a sample membership table.)

10. Formula Grants Program Staff

The state must include in the application:

- The organizational chart of the agency designated to implement the Formula Grants Program.
- A list of the other programs that the designated agency or division administers.
- The staffing and management plan for the state agency/division implementing the Formula Grants Program, including names, titles of staff, funding sources (and state match), and percentage of time devoted to the JJDP program.
- Descriptions of the duties for the juvenile justice specialist (at least one full-time position is required) and other juvenile justice and delinquency prevention staff.

Budget and Budget Narrative

Applicants must provide a budget that: (1) is complete, allowable, and cost effective in relation to the proposed activities; (2) shows the cost calculations demonstrating how the applicant arrived at the total amount requested; and (3) provides a brief supporting narrative to link costs with project activities. Applicants must submit a budget that includes both a detailed worksheet itemizing all costs and a narrative explaining and justifying each budget item. Total costs that the state specifies in its budget must match the amount it provides in the Estimated Funding section of the Project Information screen in GMS. All funds listed in the budget will be subject to audit.

Applicants should explain how they calculated fringe benefits, how they estimated travel costs, why they must purchase particular items of equipment or supplies, and how they calculated overhead or indirect costs (if applicable). The budget narrative should justify the specific items listed in the budget detail worksheet (particularly supplies, travel, and equipment) and demonstrate that all costs are reasonable.

Section 223(a)(5) of the JJDP Act, as amended, states “unless the provisions of this paragraph are waived at the discretion of the Administrator for any State in which the services for delinquent or other youth are organized primarily on a statewide basis, provide that at least 66 2/3 per centum of funds received by the state under section 222, reduced by the percentage (if

any) specified by the state under the authority of paragraph (25) and excluding funds made available to the state advisory group under section 222, shall be expended:

- A. Through programs of units of local government or combinations thereof, to the extent such programs are consistent with the State plan;
- B. Through programs of local private agencies, to the extent such programs are consistent with the State plan, except that direct funding of any local private agency by a State shall be permitted only if such agency requests such funding after it has applied for and been denied funding by any unit of local government or combination thereof; and
- C. To provide funds for programs of Indian tribes that perform law enforcement functions (as determined by the Secretary of the Interior) and that agree to attempt to comply with the requirements specified in paragraphs (11), (12), and (13) applicable to the detention and confinement of juveniles, an amount that bears the same ratio to the aggregate amount to be expended through programs referred to in subparagraphs (A) and (B) as the population under 18 years of age in the geographical areas in which such tribes perform such functions bears to the State population under 18 years of age.”

- **Budget Worksheet (Attachment #3)**

This attachment should include the amount the applicant state has budgeted for each program area it has identified to receive FY 2009 Formula Grant funds. Funds allocated for planning and administration and match requirement, the SAG and the American Indian tribes pass-through (where applicable) are required line items (see sample worksheet, Appendix F). The budget worksheet must present a complete and detailed itemization of all proposed costs.

1. Planning and Administration Funds and Match Requirement

Pursuant to Section 222(c) of the JJDP Act, states may use no more than 10 percent of their Formula Grant allocation for state plan development, other pre-award activities associated with that state plan, administration of the Formula Grant Program, including evaluation, monitoring, and at least one full-time juvenile justice specialist position. States that experience a reduction in their Formula Grant allocation based on noncompliance with one or more of the JJDP Act's core requirements will receive a reduction in their planning and administration funds accordingly. The state must match planning and administration funds dollar for dollar.

2. SAG Allocation

For planning and budget purposes, states may make up to \$30,000 of their annual allocations available to assist the SAG (based on FY 2008 figures in accordance with Section 222(d) of the JJDP Act). OJJDP will notify the states of the actual FY 2009 SAG allocation once it receives its final appropriation.

3. State Allocations and Program Areas

OJJDP will notify each state of its respective formula allocation following enactment of the FY 2009 Appropriations Bill. Until that time, states should use their FY 2008 funding levels for planning purposes. As Section 223(c) of the JJDP Act requires, OJJDP will reduce a state's FY 2009 allocation by 20 percent for each of the core requirements for which the

state was found to be not in compliance in FY 2008. States that were determined to be not in compliance with one or more core requirement in FY 2008 should plan their FY 2009 expenditures using the correctly reduced amounts from their FY 2008 allocations. See Appendix B for FY 2008 distribution of Formula Grants by state and Appendix D for Formula Grant program areas.

4. American Indian Pass-through

The required amount of the American Indian pass-through represents the minimum dollars a state must pass through to tribes that perform law enforcement functions. (See Appendix C for FY 2008 amounts.) Although this amount is based on a statutory formula, in many instances, it is insufficient to support effective juvenile justice and delinquency prevention activities. Therefore, where appropriate, OJJDP encourages the states to pass through greater amounts. In addition, OJJDP advises states to encourage tribes to apply for a discretionary grant under its Tribal Youth Program.

Review Process

OJJDP is committed to ensuring a standardized process for awarding grants. OJJDP each application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with program or legislative requirements as stated in the solicitation.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by OJP's Assistant Attorney General, who may also give consideration to factors including, but not limited to, underserved populations, strategic priorities, past performance, and available funding when making awards.

Additional Requirements

Successful applicants selected for award must agree to comply with additional applicable requirements prior to receiving grant funding. OJJDP strongly encourages applicants to review the information pertaining to these additional requirements prior to submitting their applications. Additional information for each is available at www.ojp.usdoj.gov/funding/other_requirements.htm.

- [Civil Rights Compliance](#)
- Funding to Faith-Based Organizations
- Confidentiality and Human Subjects Protection
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA) Compliance
- DOJ Information Technology Standards

- Single Point of Contact Review
- Non-Supplanting of State and Local Funds
- Criminal Penalty for False Statements
- Compliance with Office of Justice Programs [Financial Guide](#)
- Suspension or Termination of Funding
- Non-Profit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006

Appendix A: Application Checklist

OJJDP FY 2009 Title II Formula Grants Program

Applicants must submit all applications electronically through OJP's GMS.

- Application for Federal Assistance (SF-424)** is generated by completing the Overview, Applicant Information, and Project Information screens in GMS.
- Assurances and Certifications** must be reviewed and accepted online by the applicant's authorizing official.
- Program Narrative (Attachment #1)** must address all nine required items.
- Other Attachment (Attachment #2)** must include updated DMC Relative Rate Index spreadsheets.
- Budget Detail Worksheet (Attachment #3)** must include a worksheet that identifies and a narrative that justifies all proposed costs (see sample worksheet, Appendix F).

Applicants must submit files attached to their GMS application as a Microsoft Word document (.doc), PDF file (.pdf), or text document (.txt). Refer to the program announcement for detailed descriptions of these items.

Deadlines

- Applicants must register on GMS by 8 p.m. E.T. March 31, 2009.
- Applicants must submit completed applications by 8 p.m. E.T. March 31, 2009.

OJJDP will accept only those applications submitted through the GMS online application system. OJJDP will not consider mailed or faxed applications.

Appendix B: Distribution of Formula Grants by State (FY 2008)

State	Formula Grant Allocation
Alabama	\$792,000
Alaska	600,000
Arizona	1,157,000
Arkansas	600,000
California	6,773,400
Colorado	831,000
Connecticut	581,000
Delaware	600,000
District of Columbia	600,000
Florida	2,857,050
Georgia	1,744,000
Hawaii	600,000
Idaho	600,000
Illinois	2,284,050
Indiana	1,121,000
Iowa	600,000
Kansas	600,000
Kentucky	710,000
Louisiana	774,000
Maine	600,000
Maryland	967,000
Massachusetts	1,029,000
Michigan	1,761,070
Minnesota	893,000
Mississippi	600,000
Missouri	1,006,000
Montana	600,000
Nebraska	600,000
Nevada	600,000
New Hampshire	600,000
New Jersey	1,484,040
New Mexico	600,000
New York	3,207,149
North Carolina	1,531,030
North Dakota	600,000
Ohio	1,968,030
Oklahoma	635,000
Oregon	608,000
Pennsylvania	1,993,030
Rhode Island	600,000
South Carolina	739,000
South Dakota	600,000
Tennessee	1,025,000
Texas	4,614,250
Utah	600,000
Vermont	600,000
Virginia	1,284,000
Washington	1,084,000
West Virginia	600,000

State	Formula Grant Allocation
Wisconsin	\$933,000
Wyoming	600,000
American Samoa	100,000
Guam	100,000
Puerto Rico	724,000
North Mariana Islands	100,000
Virgin Islands	100,000
Total	\$60,710,099

Population figures based on July 1, 2006, Bureau of Census Data for States and Puerto Rico. Population figures based on 2000 Census for American Samoa, Northern Mariana Islands, Virgin Islands, and Guam.

Appendix C: American Indian Pass-through by State (FY 2008)

State	Total Juvenile Population*	Juvenile American Indian Population	FY 2008 Formula Grant Allocation	Total State American Pass-through
Alabama	1,114,301	72	\$792,000	\$33
Alaska	181,434	14,917	\$600,000	\$31,239
Arizona	1,628,198	71,731	\$1,157,000	\$33,097
Arkansas	691,186		\$600,000	\$
California	9,532,614	3,904	\$6,773,400	\$1,841
Colorado	1,169,301	3,873	\$831,000	\$1,769
Connecticut	818,286	719	\$581,000	\$323
Delaware	203,366		\$600,000	\$
District of Columbia	114,881		\$600,000	\$
Florida	4,021,555	274	\$2,857,050	\$129
Georgia	2,455,020		\$1,744,000	\$
Hawaii	298,081		\$600,000	\$
Idaho	394,280	8,309	\$600,000	\$8,007
Illinois	3,245,451		\$2,284,050	\$
Indiana	1,577,629		\$1,121,000	\$
Iowa	710,194		\$600,000	\$
Kansas	695,837	1,795	\$600,000	\$980
Kentucky	999,531		\$710,000	\$
Louisiana	1,090,001	176	\$774,000	\$80
Maine	280,994	795	\$600,000	\$1,075
Maryland	1,360,531	0	\$967,000	\$
Massachusetts	1,448,884	40	\$1,029,000	\$18
Michigan	2,478,356	2,383	\$1,761,700	\$1,110
Minnesota	1,157,264	11,405	\$893,000	\$5,218
Mississippi	759,405	2,129	\$600,000	\$1,065
Missouri	1,416,592	0	\$1,006,000	\$
Montana	217,848	22,023	\$600,000	\$38,412
Nebraska	445,033	2,823	\$600,000	\$2,410
Nevada	634,520	2,173	\$600,000	\$1,301
New Hampshire	297,625	0	\$600,000	\$
New Jersey	2,089,338	0	\$1,484,040	\$
New Mexico	508,930	48,121	\$600,000	\$35,927
New York	4,514,342	923	\$3,207,149	\$433
North Carolina	2,155,387	2,576	\$1,531,030	\$1,196
North Dakota	144,934	7,420	\$600,000	\$19,452
Ohio	2,770,035	0	\$1,968,030	\$
Oklahoma	894,0340	127,668	\$635,000	\$57,590
Oregon	856,259	3,951	\$608,000	\$1,778
Pennsylvania	2,804,87321	0	\$1,993,030	\$
Rhode Island	237,451	13	\$600,000	\$21
South Carolina	1,039,653	0	\$739,000	\$
South Dakota	194,681	18,618	\$600,000	\$36,337
Tennessee	1,442,593	0	\$1,025,000	\$
Texas	6,493,965	344	\$4,614,250	\$162
Utah	791,198	3,038	\$600,000	\$1,459
Vermont	133,389	0	\$600,000	\$

State	Total Juvenile Population*	Juvenile American Indian Population	FY 2007 Formula Grant Allocation	Total State Native American Pass-through
Virginia	1,806,847	0	\$1,284,000	\$
Washington	1,526,267	34,383	\$1,084,000	\$15,828
West Virginia	289,071	0	\$600,000	\$
Wisconsin	1,312,530	11,858	\$933,000	\$5,438
Wyoming	121,794	6,823	\$600,000	\$21,286
American Samoa	25,536	0	\$100,000	\$
Guam	54,854	0	\$100,000	\$
Puerto Rico	1,018,651	0	\$724,000	\$
North Mariana Islands	17,733	0	\$100,000	\$
Virgin Islands	34,289	0	\$100,000	\$
Total	74,886,627	415,278	\$60,710,099	\$325,014

* Population figures are based on Census 2006 data.

Appendix D: Formula Grant Program Areas

- 1 **Aftercare/Reentry.** Programs to prepare targeted juvenile offenders to successfully return to their communities after serving a period of secure confinement in a training school, juvenile correctional facility, or other secure institution. Aftercare programs focus on preparing juvenile offenders for release and providing a continuum of supervision and services after release.
- 2 **Alternatives to Detention.** Alternative services provided to a juvenile offender in the community as an alternative to confinement.
- 3 **Child Abuse and Neglect Programs.** Programs that provide treatment to juvenile victims of child abuse or neglect and to their families to reduce the likelihood that such juvenile offenders will commit subsequent violations of law.
- 4 **Children of Incarcerated Parents.** Services to prevent delinquency or treat delinquent juveniles who are the children of incarcerated parents.
- 5 **Community Assessment Centers (CACs).** Centers that lead to more integrated and effective cross-system services for juveniles and their families. CACs are designed to positively affect the lives of youth and divert them from a path of serious, violent, and chronic delinquency. Using a collaborative approach, CACs serve the community in a timely, cost-efficient, and comprehensive manner.
- 6 **Compliance Monitoring.** Programs, research, staff support, or other activities primarily to enhance or maintain a state's ability to adequately monitor jails, detention facilities, and other facilities to assure compliance with Sections 223(a)(11), (12), (13), and (22) of the JJDP Act.
- 7 **Court Services.** Programs to encourage courts to develop and implement a continuum of pre- and postadjudication restraints that bridge the gap between traditional probation and confinement in a correctional setting. Services include expanded use of probation, mediation, restitution, community service, treatment, home detention, intensive supervision, electronic monitoring, translation services and similar programs, and secure, community-based treatment facilities linked to other support services.
- 8 **Deinstitutionalization of Status Offenders.** Programs, research, or other initiatives to eliminate or prevent the placement of accused or adjudicated status offenders and nonoffenders in secure facilities, pursuant to Section 223(a)(11) of the JJDP Act.
- 9 **Delinquency Prevention.** Programs, research, or other initiatives to prevent or reduce the incidence of delinquent acts and directed to youth at risk of becoming delinquent to prevent them from entering the juvenile justice system or to intervene with first-time and non-serious offenders to keep them out of the juvenile justice system. This program area excludes programs targeted at youth already adjudicated delinquent, on probation, in corrections, and those programs designed specifically to prevent gang-related or substance abuse activities undertaken as part of program areas 12 and 32.

- 10 **Disproportionate Minority Contact.** Programs, research, or other initiatives primarily to address the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system, pursuant to Section 223(a)(22) of the JJDP Act.
- 11 **Diversion.** Programs to divert juveniles from entering the juvenile justice system.
- 12 **Gangs.** Programs, research, or other initiatives primarily to address issues related to juvenile gang activity. This program area includes prevention and intervention efforts directed at reducing gang-related activities.
- 13 **Gender-Specific Services.** Services to address the needs of female offenders in the juvenile justice system.
- 14 **Graduated Sanctions.** A system of sanctions that escalate in intensity with each subsequent, more serious delinquent offense.
- 15 **Gun Programs.** Programs (excluding programs to purchase from juveniles) to reduce the unlawful acquisition and illegal use of guns by juveniles.
- 16 **Hate Crimes.** Programs to prevent and reduce hate crimes committed by juveniles.
- 17 **Jail Removal.** Programs, research, or other initiatives to eliminate or prevent the placement of juveniles in adult jails and lockups, as defined in Section 223(a)(13) of the JJDP Act.
- 18 **Job Training.** Projects to enhance the employability of juveniles or prepare them for future employment. Such programs may include job readiness training, apprenticeships, and job referrals.
- 19 **Juvenile Justice System Improvement.** Programs, research, and other initiatives to examine issues or improve practices, policies, or procedures on a system-wide basis (e.g., examining problems affecting decisions from arrest to disposition and detention to corrections).
- 20 **Mental Health Services.** Services include, but are not limited to, the development and/or enhancement of diagnostic, treatment, and prevention instruments; psychological and psychiatric evaluations; counseling services; and/or family support services.
- 21 **Mentoring.** Programs to develop and sustain a one-to-one supportive relationship between a responsible adult age 18 or older (mentor) and an at-risk juvenile (mentee) that takes place on a regular basis.
- 22 **American Indian Programs.** Programs to address juvenile justice and delinquency prevention issues for American Indians and Alaska Natives.
- 23 **Planning and Administration.** Activities related to state plan development, other pre-awarded activities, and administration of the Formula Grant Program, including evaluation, monitoring, and one full-time staff position pursuant to Section 222 (c) of the JJDP Act and the OJJDP Formula Grant Regulation.
- 24 **Probation.** Programs to permit juvenile offenders to remain in their communities under conditions that the juvenile court prescribes.

- 25 **Restitution/Community Service.** Programs to hold juveniles accountable for their offenses by requiring community service or repayment to the victim.
- 26 **Rural Area Juvenile Programs.** Prevention, intervention, and treatment services in an area located outside a metropolitan statistical area as designated by the U.S. Bureau of the Census.
- 27 **School Programs.** Education programs and/or related services to prevent truancy, suspension, and expulsion. School safety programs may include support for school resource officers and law-related education.
- 28 **Separation of Juveniles From Adult Inmates.** Programs that ensure that juveniles will not be detained or confined in any institutions where they may come into contact with adult inmates, pursuant to Section 223(a)(12) of the JJDP Act.
- 29 **Serious Crime.** Programs, research, or other initiatives to address serious and violent criminal-type behavior by youth. This program area includes intervention, treatment, and reintegration of serious and violent juvenile offenders.
- 30 **Sex Offender Programs.** Programs to support the assessment, treatment, rehabilitation, supervision, and accountability of juvenile sex offenders.
- 31 **State Advisory Group Allocation.** Activities related to carrying out the State Advisory Group's responsibilities under Section 223(a)(3) of the JJDP Act.
- 32 **Substance Abuse.** Programs, research, or other initiatives to address the use and abuse of illegal and other prescription and nonprescription drugs and the use and abuse of alcohol. Programs include control, prevention, and treatment.
- 33 **Youth Advocacy.** Projects to develop and implement advocacy activities focused on improving services for and protecting the rights of youth affected by the juvenile justice system. Note: This program area is not intended to and cannot encompass impermissible lobbying activities.
- 34 **Youth or Teen Courts.** Juvenile justice programs in which peers play an active role in the disposition of the juvenile offender. Most communities use youth courts as a sentencing option for first-time offenders charged with misdemeanor or nonviolent offenses who acknowledge their guilt. The youth court serves as an alternative to the traditional juvenile court.
- 35 **Strategic Community Action Planning (new program area).** Programs and activities that bring together committed community leaders and residents to identify and access existing local resources for the development of a multifaceted response to juvenile justice issues.

Appendix E: Pass-through Waiver Requirements

1. Section 223(a)(5) of the JJDP Act, as amended, requires states to pass-through 66 2/3 per centum of funds received by the state under Section 222 unless waived at the discretion of the Administrator.
2. Request for waiver should be attached to the state's Title II application in the form of a letter to the OJJDP Administrator, who will review requests for exceptions to this waiver; however, the state must meet the following criteria prior to review or approval:
 - a. Demonstration, by comparing state and local expenditures for the proceeding fiscal year, of how the state bears the primary financial burden for juvenile justice services provided in each of the authorized purpose areas.
 - b. Demonstration of consultation with units of local government in the state, either directly or through organizations representing such units, regarding the proposed waiver.
 - c. Demonstration of consultation with other state agencies that bear the primary financial burden for juvenile justice.
 - d. The approval of the state advisory group.
3. For further information or clarification, contact your OJJDP State Representative.

Appendix F: Sample Budget Worksheet

OJJDP FY 2009 Title II Formula Grant Program

Program Areas	Program Area Title	Total Funds	OJJDP Federal Share	State Match
23	Planning and Administration	\$120,000	\$60,000	\$60,000
31	State Advisory Group Allocation	30,000	30,000	0
17	Jail Removal	410,000	410,000	0
8	Deinstitutionalization of Status Offenders	50,000	50,000	0
10	Disproportionate Minority Contact	35,000	35,000	0
26	Rural Area Juvenile Programs	15,000	15,000	0
	Total	\$660,000	\$600,000	\$60,000

The planning and administrative costs cover:

1. The salaries of a full-time juvenile justice specialist, a part-time compliance monitor, and a part-time administrative assistant.
2. Travel costs of staff for the following:
 - To attend national and regional OJJDP-sponsored conferences and workshops, as appropriate.
 - To attend local conferences and workshops, as appropriate.
 - To monitor contracts with providers throughout the state.

If a state is out of compliance with one or more of the core requirements of the JJDP Act, OJJDP will reduce the award to the state by 20 percent for each requirement with which the state fails to comply. Planning and administration is computed on the new amount of the award. After subtracting planning and administration and SAG funding, the state must use 50 percent of the remaining amount to achieve compliance. The state may use the remaining funds for other programming.

Appendix G: Instructions To Complete the State Advisory Group Membership Table (with Sample Roster)

The state advisory group (SAG) membership table was designed to simplify state reporting requirements. The state should select the designator listed below that best describes each member's qualifications and experience. A sample roster can be found at the end of this appendix.

Column 1 (Name)

List the names of each SAG member beginning with the chair and place an asterisk (*) after any of those SAG members who are also members of the state supervisory board.

Column 2 (Represents)

Select the item from the following list that most closely identifies each member's qualification:

- A. Locally elected official representing general purpose local government.
- B. Representative of law enforcement and juvenile justice agencies, including:
 - 1. Juvenile and family court judges.
 - 2. Prosecutors.
 - 3. Counsel for children and youth.
 - 4. Probation workers.
- C. Representatives of public agencies concerned with delinquency prevention or treatment:
 - 1. Welfare.
 - 2. Social services.
 - 3. Mental health.
 - 4. Education.
 - 5. Special education.
 - 6. Recreation.
 - 7. Youth services.
- D. Representatives of private nonprofit organizations, including persons concerned with:
 - 1. Family preservation and strengthening.
 - 2. Parent groups and parent self-help groups.
 - 3. Youth development.
 - 4. Delinquency prevention and treatment.
 - 5. Neglected or dependent children.
 - 6. Quality of juvenile justice.
 - 7. Education.
 - 8. Social services for children.

- E. Volunteers who work with juvenile justice.
- F. Youth workers involved with programs that are alternatives to confinement, including organized recreation activities.
- G. Persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion.
- H. Persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence.

Column 3 (Full-Time Government)

If the person is a full-time government employee, place an "X" in this column.

Column 4 (Youth Member)

If the person was younger than 24 years old at the time of appointment, place an "X" in this column.

Column 5 (Date of Appointment)

Provide the date the member was appointed to the SAG.

Column 6 (Residence)

Provide the member's residential or preferred mailing address.

Sample State Advisory Group Membership Roster*

	Name	Represents	Full-Time Government	Youth Member	Date of Appointment	Residence
1.	Jane Smith, Chair	D, F			June 1997	Harlem
2.	Jane Smith	C	X		June 1997	Helena
3.	Jane Smith	E		X	June 2001	Missoula
4.	Jane Smith	A	X		June 1997	Great Falls
5.	Jane Smith	B	X		June 1998	Great Falls
6.	Jane Smith	E		X	June 2001	Missoula
7.	Jane Smith	E		X	June 2001	Bozeman
8.	Jane Smith	B	X		June 1998	Helena
9.	Jane Smith	C	X		June 1998	Helena
10.	Jane Smith	D			June 1997	Bozeman
11.	Jane Smith	B	X		June 1999	Butte
12.	Jane Smith	A, C	X		June 1999	Kalispell
13.	Jane Smith	A, D			June 2000	Great Falls
14.	Jane Smith	D			June 1997	Billings
15.	Jane Smith	C	X		June 2000	Helena
16.	Jane Smith	B		X	June 2000	Billings
17.	Jane Smith	C	X		June 2001	Helena
18.	Jane Smith	D, F			June 2001	Missoula
19.	Jane Smith	C	X		June 2000	East Helena
20.	Jane Smith	F		X	June 2001	Bozeman

Source: Modified from Montana's FY 2002 Formula Grants application.
 The SAG serves as the supervisory or advisory board. **(Check one.)**
 *List the Chair first.

Appendix H: Rural Removal Exception Certification Form

RURAL REMOVAL EXCEPTION CERTIFICATION

The State/Territory of _____, certifies that all facilities approved by OJJDP for use of the Rural Removal Exception continue to meet the statutory conditions of the JJDP Act including:

1. The State Compliance Monitor has determined that the facility(s) meets or exceeds sight and sound separation standards;
2. There is in effect in the state a policy that requires individuals who work with both juveniles and adult inmates in collocated facilities to be trained and certified to work with juveniles; and
3. The facility(s) is/are located outside a metropolitan statistical area (as defined by the Office of Management and Budget) and has no existing acceptable alternative placement available;
4. The facility(s) is/are located where conditions of distance to be traveled or the lack of highway, road, or transportation do not allow for court appearances within 48 hours (excluding Saturdays, Sundays, and legal holidays) so that a brief (not to exceed 48 hours) delay is excusable; or
5. The facility/(s) is/are located where conditions of safety exist (such as severely adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be delayed until 24 hours after the time that such conditions allow for reasonably safe travel.

Juvenile Justice Specialist

Appendix I: Contributing Mechanisms to DMC

Mechanism	Definition
Seasonal Mobility	Occurs when a community has an influx of juveniles during a particular season, frequently either a holiday season (spring break) or a vacation season (summer break).
Attractive Nuisance	Applied to a number of commercial or entertainment areas, particularly in urban settings. For example, a shopping mall or entertainment facility may be located in a suburban community or an urban neighborhood that has lower proportions of minority residents but draws youth from across an urban area.
Immigration-and Migration-Related Mobility	May have an impact on communities to create higher levels of DMC, particularly where policies of the U.S. Citizenship and Immigration Services are a major concern.
Institutional Effects	May occur when a jurisdiction provides residential or detention capacity for a number of other jurisdictions. For example, if a county operates a regional detention facility, then it might appear that its volume of detention activity is higher than in surrounding counties, and if the county includes these nonresident youth in its RRI calculation, it might create erroneous results.
Indirect Effects	Reflects economic status, education, location, and a host of risk factors associated with delinquent behavior, among other factors, that are linked with race and ethnicity. These factors are related to delinquent activity or contact within the justice system.
Specific Risk Factors	Are correlated with race or ethnicity, may lead to differential offending issues. Risk factors such as poor school performance or living in disorganized neighborhoods are more likely to occur to minority youth, putting them at a greater risk of system involvement.
Programming Access/Eligibility	For example, access to some forms of behavioral health or substance use treatment is often contingent on medical insurance coverage. That coverage is, in turn, often contingent on economic circumstances, which places many minority families at a disadvantage in obtaining such services.
Decisionmaking Factors	For example, a number of studies have indicated that juvenile justice decisionmakers respond differently to youth from an "intact" two-parent family setting than to youth from a single-parent home.
Access	May be limited by geography, hours of operation, or other means. For example, if a program is located in an area of a community that is not accessible through public transportation, the unintended outcome may be that only families who have access to private automobiles may participate.
Eligibility	May be used in many programs to define a set of youth most likely to benefit from the program or to exclude those youth that program leaders believe will likely disrupt the program or otherwise be less likely to benefit from the program resources.
Implementation	For example, the physical tone of a facility may be inviting or discouraging, may indicate an appreciation of multiple cultures, or may be sterile.

Effectiveness	The capability to achieve intended outcomes. Many prevention or treatment programs have been developed initially with a particular group of youth in mind, often white youth.
Differential Processing or Inappropriate Decisionmaking Criteria	An issue in determining program eligibility, implementing diversion programs, and selecting alternative decision outcomes.
Justice by geography	The concept that youth in general, and minority youth in particular, may be processed or handled differently in one jurisdiction than in another within the same state.
Legislation, Policies, and Legal Factors	Policies enacted through legislation or through administrative action may sometimes contain elements that create a disadvantage for minority youth.
Simple Accumulation	There may be a higher rate of arrest for minority youth, followed by a lower rate of diversion, higher rates of formal processing as delinquent, etc.
Impacts on Later Decisions	Another example where race and ethnicity may work indirectly through factors that influence decisionmaking is the impact of earlier stages on later stages of the justice system, such as the impact of pre-adjudicatory detention.