UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

STATES OF NEW YORK, CONNECTICUT, NEW JERSEY, and WASHINGTON, and COMMONWEALTHS OF MASSACHUSETTS and VIRGINIA,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF JUSTICE; and JEFFERSON B. SESSIONS III, in his official capacity as Attorney General of the United States,

Defendants.

CIVIL ACTION NO.

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

INTRODUCTION

1. In our federal system, States have primary responsibility for the design of law enforcement policies to keep our communities safe and promote trust between law enforcement agencies and the residents they serve. The Edward Byrne Memorial Justice Assistance Grant ("Byrne JAG") program is a mandatory formula grant that Congress created to provide States with a reliable source of funding to promote public safety while maximizing their discretion to tailor their law enforcement efforts to local needs. Congress has appropriated hundreds of millions of dollars in annual grant funds to that end. Contrary to this congressional intent, however, the United States Department of Justice ("DOJ") has now decided to coerce States and localities into enforcing the federal government's civil immigration priorities by conditioning Byrne JAG funding on compliance with immigration-related conditions that have nothing to do with the program's purpose. Plaintiffs—the States of New York, Connecticut, New Jersey, and Washington

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and the Commonwealths of Massachusetts and Virginia ("the States")—challenge these unconstitutional and illegal conditions, and seek declaratory and injunctive relief to protect their ability to pursue their own law enforcement prerogatives in the manner that best achieves the safety and security of their communities.

2. The Byrne JAG program is the primary source of federal criminal justice funding for States and localities and is designed to "give state and local governments more flexibility to spend money for programs that work for them rather than to impose a 'one size fits all' solution." H.R. Rep. No. 109-233, at 89 (2005). Byrne JAG funds have been used to support a diverse array of programs tailored to local law enforcement needs, including initiatives to combat gun violence, reduce violent crime, provide substance abuse services, support diversion and re-entry programs, improve criminal records systems, fight organized crime, prevent sexual abuse, and fund domestic violence legal advocacy.

3. On July 25, 2017, DOJ announced that it was imposing three immigration-related conditions on Fiscal Year ("FY") 2017 Byrne JAG funds. The conditions require States and localities to (1) provide access to their correctional facilities for federal immigration enforcement agents (the "access condition"); (2) provide advance notice—i.e., as early as practicable upon request—to federal immigration authorities before an individual's scheduled release from custody (the "notice condition"); and (3) accept various conditions relating to 8 U.S.C. § 1373, which prohibits States and localities from restricting their officials from communicating with federal immigration authorities "regarding the citizenship or immigration status, lawful or unlawful, of any individual" (collectively, the "Section 1373 conditions"). In addition, States are required to monitor their subgrantees to ensure their compliance with the notice and access conditions, and report to DOJ if they believe that a subgrantee has violated Section 1373.

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4. DOJ's decision to impose these sweeping conditions on Byrne JAG grantees represents an unlawful, *ultra vires* attempt to force States and localities to forsake their own policy judgments and aid in federal civil immigration enforcement. Nothing in the Byrne JAG statute "grant[s] the Attorney General the authority to impose conditions that require states or local governments to assist in immigration enforcement, nor to deny funds to states or local governments for their failure to comply with those conditions." *City of Chicago v. Sessions*, 888 F.3d 272, 283 (7th Cir. 2018).

5. DOJ has thus forced the States into an untenable position: accept unlawful and unconstitutional conditions that diminish our sovereign ability to set our own law enforcement priorities and protect our communities, or forfeit Byrne JAG funding, thus undermining the vital programs that such funding supports.

6. Accordingly, the States file this action seeking a declaratory judgment that the notice, access, and Section 1373 conditions are unlawful, and a permanent injunction enjoining DOJ from imposing these conditions on any Byrne JAG applicant in order to receive the funds.

JURISDICTION AND VENUE

7. The Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 2201(a). Jurisdiction is also proper under the judicial review provisions of the Administrative Procedure Act, 5 U.S.C. § 702.

8. Venue is proper in this district under 28 U.S.C. §§ 1391(b)(2) and (e)(1). Defendants are United States agencies or officers sued in their official capacities. The State of New York is a resident of this district, and a substantial part of the events or omissions giving rise to this Complaint occurred and continue to occur within the Southern District of New York.

PARTIES

9. Plaintiff the State of New York, represented by and through its Attorney General, Barbara D. Underwood, is a sovereign state in the United States of America. The Attorney General is New York State's chief law enforcement officer, and is authorized to pursue this action pursuant to N.Y. Executive Law § 63.

Plaintiff the State of Connecticut, represented by and through its Attorney General,
 George Jepsen, is a sovereign state in the United States of America.

11. Plaintiff the Commonwealth of Massachusetts is a sovereign state in the United States of America. Massachusetts is represented by Attorney General Maura Healey, who is the chief law enforcement officer of Massachusetts. The Massachusetts Executive Office of Public Safety and Security ("EOPSS") is the state agency responsible for applying for, obtaining, and disbursing funds to subgrantees under the Byrne-JAG program.

12. Plaintiff the State of New Jersey, represented by and through its Attorney General, Gurbir S. Grewal, is a sovereign state in the United States of America. As the State's Attorney General, Grewal is the head of the New Jersey Department of Law and Public Safety, N.J. Stat. Ann. § 52:17B-2. The mission of the Department of Law and Public Safety is to protect the safety, security, and quality of life of the people of New Jersey through an integrated and coordinated structure of law enforcement and regulatory agencies. The Department of Law and Public Safety is also the agency responsible for applying for, obtaining, and disbursing funds to subgrantees under Byrne JAG.

13. Plaintiff the Commonwealth of Virginia, represented by and through its Attorney General, Mark Herring, is a sovereign state in the United States of America.

14. Plaintiff the State of Washington, represented by and through its Attorney General,

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Robert W. Ferguson, is a sovereign state in the United States of America. The Washington State Attorney General is the chief legal advisor to the State. The Attorney General's powers and duties include acting in federal court on matters of public concern.

15. The States are aggrieved by Defendants' actions and have standing to bring this action.

16. Defendant United States Department of Justice ("DOJ") is an agency of the United States government and has responsibility for implementing the Byrne JAG program.

17. Defendant Jefferson Beauregard Sessions III is the Attorney General of the United States and is the federal official in charge of the U.S. Department of Justice. The Attorney General is sued in his official capacity.

ALLEGATIONS

I. The Byrne JAG Program

18. The Byrne JAG program has its origins in the Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. No. 90-351, Title I, 82 Stat. 197, which created the first block grants for States and localities to use for law enforcement and criminal justice programs.¹ Recognizing that "crime is essentially a local problem that must be dealt with by State and local governments," 82 Stat. at 197, Congress designed the grant to provide a reliable funding stream that States and localities could use in accordance with State and local law enforcement policies.²

¹ See Justice System Improvement Act of 1979, Pub. L. No. 96-157, 93 Stat. 1167, 1179 (amending Title I of the 1968 Act and reauthorizing law enforcement block grants to States and local governments); Justice Assistance Act of 1984, Pub. L. No. 98-473, 98 Stat. 1837, 2077-85 (same); Anti-Drug Abuse Act of 1988, Pub. L. No. 100-690, pt. E, 102 Stat. 4181, 4329 (amending Title I of the 1968 Act and creating a formula law-enforcement grant); Violence Against Women and Department of Justice Reauthorization Act of 2005, Pub. L. No. 109-162, § 1111, 119 Stat. 2960, 3094 (2006) (amending Title I of the 1968 Act and creating the modern Byrne JAG program).

² See, e.g., S. Rep. No. 90-1097, at 2 (1968) (stating that Congress sought to encourage States and localities to adopt programs "based upon their evaluation of State and local problems of law enforcement"); see also Ely v. Velde, 451 F.2d 1130, 1136 (4th Cir. 1971) (reviewing the legislative history of the 1968 Act and concluding that "[t]he dominant

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19. To ensure federal deference to local priorities, the 1968 Act prohibited federal agencies and executive branch officials from using law enforcement grants to "exercise any direction, supervision, or control over any police force or any other law enforcement agency of any State or any political subdivision thereof." *Id.* § 518(a), 82 Stat. at 208. Although Congress has repeatedly modified the structure and terms of the law enforcement grants authorized under Title I of the 1968 Act, the prohibition originally set forth in § 518 of the 1968 Act remains in effect with virtually no modification, and is now codified in the same chapter of the U.S. Code as Byrne JAG. *See* 34 U.S.C. § 10228(a). The full text of Section 10228(a) provides: "Nothing in this chapter or any other Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over any police force or any other criminal justice agency of any State or any political subdivision thereof." *Id.*

20. Congress codified the modern Byrne JAG program in 2006.³ 34 U.S.C. §§ 10151– 58. The Byrne JAG program is administered by DOJ through its Office of Justice Programs. Like its predecessors, Byrne JAG aims to "give state and local governments more flexibility to spend money for programs that work for them rather than to impose a 'one size fits all' solution." H.R. Rep. No. 109-233, at 89 (2005). To that end, the Byrne JAG statute gives recipients substantial discretion to use funds for eight "broad purposes," *id.*, including law enforcement, crime prevention and education, and drug treatment, 34 U.S.C. § 10152(a)(1).

21. DOJ is required by law to issue grants "in accordance with the formula" set forth

concern of Congress apparently was to guard against any tendency towards federalization of local police and law enforcement agencies").

³ The program is named after a former New York City police officer who was killed in the line of duty. *See About Officer Byrne*, <u>https://goo.gl/pLm8JM</u>. Congress appropriated for the program—which consolidated the existing Byrne formula program with another law enforcement block grant program—in an appropriations act passed on December 8, 2004. *See* P.L. 108-447, 118 Stat. 2809, 2863 (Dec. 8, 2004). Thus, although the program was not codified until 2006, some states began receiving awards under the program in FY 2005.

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in the Byrne JAG statute. *Id.* Specifically, "[o]f the total amount appropriated" by Congress, the U.S. Attorney General "shall, except as provided in paragraph (2), allocate" fifty percent of the funds based on each State's population and fifty percent based on each State's crime rate. *Id.* § 10156(a)(1). The exception in paragraph (2) provides that each State must receive at least one-quarter of one percent of the funds appropriated by Congress for a given year, regardless of what the formula would otherwise dictate. *Id.* § 10156(a)(2).

22. Of the money allocated to each State, sixty percent of the funding "shall be for direct grants to States," *id.* § 10156(b)(1), and forty percent "shall be for grants" directly to localities (compared within a State based on crime rate), *id.* § 10156(b)(2), (d). Each State is required to allocate a portion of its award to localities within the State. *See id.*, § 10156(c)(2). Thus, some localities are both direct grant recipients and subgrantees of the States.

23. Unlike *discretionary* grant programs, which agencies award on a competitive basis, "formula grants … are not awarded at the discretion of a state or federal agency, but are awarded pursuant to a statutory formula." *City of Los Angeles v. McLaughlin*, 865 F.2d, 1084 1088 (9th Cir. 1989). Thus, if a grantee satisfies the statutory requirements, it is entitled to receive what the formula dictates.

24. Under the Byrne JAG statute, States and local governments are entitled to their share of the formula allocation as long as they use the funds to further one or more of the eight broadly defined goals, *see* 34 U.S.C. § 10152(a)(1)(A)-(H), and their applications contain a series of statutorily prescribed certifications and attestations, *see id.* § 10153(a).

25. States and localities are required to submit an application to receive Byrne JAG funds each fiscal year. *See* 34 U.S.C. § 10153(a). The application must include the following items, among others: a certification that program funds will not be used to supplant state or local funds,

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id. § 10153(a)(1); an assurance that the application was made available for comment by the public, and by neighborhood or community-based organizations, *id.* § 10153(a)(3); an assurance that the applicant will "maintain and report such data, records, and information (programmatic and financial) as the Attorney General may reasonably require," *id.* § 10153(a)(4); and a certification that programs to be funded meet the requirements of the Byrne JAG statute, that all the information in the application is correct, that there has been appropriate coordination with affected agencies, and that "the applicant will comply with all provisions of this part and all other applicable Federal laws," *id.* § 10153(a)(5).

26. The Byrne JAG statute does not include any provision expressly authorizing DOJ to impose conditions on Byrne JAG funding.

II. The States' Use of Byrne JAG Funding

27. For nearly fifty years, the States and local subgrantees have used grant funds under Byrne JAG and its predecessor grant programs to support a broad array of critical law enforcement programs tailored to local needs.

28. The States have received Byrne JAG awards every year since the program was created.

A. New York

29. The State of New York has used Byrne JAG funding for a variety of purposes, including to support a multi-county program to combat gun violence, improve criminal records systems, enhance the services of forensic laboratories, and support prosecution and defense services.⁴

⁴ See New York State's Application for Byrne JAG Program Funds—FFY 2016, at 4-9 (June 30, 2016), at <u>https://goo.gl/3WsuWr</u>.

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30. New York's subgrantees also have used Byrne JAG funding for varied and successful programs. For example, the Buffalo Veterans Treatment Court used a Byrne JAG award of \$86,147 to divert 100 veterans from the prison system and provide them with "health, education, and employment resources and services which have been critical to the 're-adjustment challenge' these combat veterans have faced upon returning home."⁵ The Council of Thought and Action Youth in Suffolk County received \$10,000 in Byrne JAG funding to support the initiative's outreach workers, who identify and engage at-risk youth and young adults between the ages of 13 and 24 years, assess their needs, and provide them with guidance and mentoring.⁶

31. On June 26, 2018, New York was notified that it received a Byrne JAG award for FY 2017 in the amount of \$8,879,161.⁷

32. For the FY 2017 grant cycle, New York plans to use its Byrne JAG funding to support a number of criminal justice, law enforcement, and drug treatment priorities. In particular, New York plans to use FY 2017 Byrne JAG funding to:

- a. cover 50% of the cost of the purchase and installation of Livescan fingerprint technology equipment at local law enforcement agencies to facilitate the timely receipt of fingerprint search results when an individual is arrested;
- expand a demonstration project that uses Byrne JAG to fund staff positions at police and prosecutorial agencies that are focused on investigating and prosecuting nonfatal shooting cases;

⁵ Success Story Details: Buffalo Veterans Treatment Court, U.S. Department of Justice Bureau of Justice Assistance, <u>https://www.bja.gov/SuccessStoryDetail.aspx?ssid=11</u>.

⁶ Success Story Details: Council of Thought and Action (COTA) Youth, U.S. Department of Justice Bureau of Justice Assistance, <u>https://www.bja.gov/SuccessStoryDetail.aspx?ssid=97</u>.

⁷ See N.Y. FY 2017 Byrne JAG Award, Ex. A.

- c. provide annual subgrants to district attorney and public defender offices in numerous counties to enhance the quality and effectiveness of prosecution and defense services, including efforts to combat illegal gun trafficking and improve defense services for individuals processed through specialty courts, such as domestic violence courts, veterans courts, and drug courts;
- d. support the creation of a New York State Criminal Justice Research Consortium to connect criminal justice practitioners to academic researchers to expand the use of evidence-based practices;
- e. support New York's SNUG⁸ street outreach program, a gun violence prevention initiative active in eleven jurisdictions throughout the State that have had elevated levels of shooting incidents;
- f. partially or fully fund twenty-nine staff positions at the New York State Office of Information Technology dedicated to maintaining critical public information technology systems and platforms such as the State's fingerprint identification system and criminal history database;
- g. purchase and install video equipment for recording custodial interrogations at local law enforcement agencies; and
- cover roughly one-half of the costs of approximately thirty crime analyst positions at four Crime Analysis Centers that serve the Buffalo, Rochester, Syracuse, and Albany regions.

33. In addition to these planned programs, New York plans to provide FY 2017 Byrne JAG funding to subgrantees to support a variety of criminal justice and drug treatment programs.

⁸"Guns" spelled backwards.

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A broad range of local and State government subgrantees benefit from these funds, including police agencies, prosecutors, and social services agencies.

34. New York's 2017-18 enacted state budget included \$10 million in appropriation authority to support state and local projects funded from the state's FY2017 Byrne JAG award. These funds were reappropriated in the 2018-19 enacted state budget.

35. New York's deadline to accept the Byrne JAG award is August 10, 2018.

B. Connecticut

36. Connecticut typically distributes most of its funds to its subgrantees, including various state agencies and local jurisdictions. Most of the state-level funds are committed to state agency projects focused on enhancing components of the criminal justice system, while most subgrants to local jurisdictions are dedicated to local law enforcement functions, with a priority given to projects focusing on narcotics, violent crime reduction, technology improvements and equipment.

37. On June 26, 2018, Connecticut was notified that it received a Byrne JAG award for FY 2017 in the amount of \$1,711,049.⁹

38. If Connecticut accepts the FY 2017 JAG grant, it intends to disburse most of the money to various state agencies and local jurisdictions to assist in their law enforcement and criminal justice programs, including funding for stipends for local police to ensure their continued participation in and support of Connecticut's Statewide Narcotic Task Force, substance abuse treatment services and other re-entry services in Connecticut prisons and communities, and the State's opioid intervention project for local police departments, the purpose of which is to reduce opioid-related deaths and reduce opioid-related crime and incarceration.

⁹ See Conn. FY 2017 Byrne JAG Award, Ex. B.

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39. Connecticut's deadline to accept the Byrne JAG award is August 10, 2018.

C. Massachusetts

40. Massachusetts has spent or will spend funds received from its Byrne JAG award to create or support various law enforcement programs and initiatives, such as programs that provide wrap-around services to high-risk youth, including through faith-based and community-based efforts; programs aimed at reducing heroin and other opioid use through prevention, intervention, treatment, interdiction, and system readiness; collaborative projects that promote efforts of local agencies to provide and ensure comprehensive reintegration programs for juvenile and adult offenders reentering the community; and projects that promote the collaboration of law enforcement, the courts, and local victim service agencies in responding to domestic violence and sexual assault incidents.

41. The various subgrantees of EOPSS have spent or will spend funds received from Massachusetts' Byrne JAG award to create or support various law enforcement programs and initiatives, such as hiring case managers with expertise in substance abuse and counseling to serve as a liaison between law enforcement and the treatment centers where individuals are referred for care; increasing community outreach in high-risk areas; implementing training and early intervention tools for at-risk youth; and implementing data and analysis to drive strategies to reduce crime and improve operational effectiveness.

42. On June 26, 2018, Massachusetts was notified that it received a Byrne JAG award for FY 2017 in the amount of \$3,453,006.¹⁰

43. Massachusetts has planned on using its FY 2017 Byrne JAG award to fund programs focused on reducing gun, gang, and youth violence; evidence-based reentry programs to

¹⁰ See Mass. FY 2017 Byrne JAG Award, Ex. C.

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reduce recidivism; programs targeting domestic violence and sexual assault offenders; efforts geared toward combating heroin, opioids, and other illegal drugs; and collaborative prosecution and prevention programs.

44. Massachusetts' deadline to accept the Byrne JAG award for FY 2017 is August 10,2018.

D. New Jersey

45. New Jersey has spent Byrne JAG funds that it received in FY 2014 through 2016 to create or support various law enforcement programs and initiatives, such as the State's Multi-Jurisdictional Gangs, Organized Crime and Narcotics Task Force, the Statewide Gun Violence Reduction Initiative, the Atlantic City Organized Crime Task Force, the Prosecutor Supervision Training Initiative, building a password recovery server that helps investigators access devices that may contain evidence of a crime, and supporting the integration and enhancement of New Jersey's statewide criminal justice information sharing networks.

46. Subgrantees of the New Jersey Department of Law and Public Safety spent Byrne JAG funds that they received in FY 2014 through 2016 to create or support various law enforcement programs, such as the Body-Worn Cameras Initiative which helps municipal law enforcement agencies acquire body-worn cameras, and county Multi-Jurisdictional Gangs, Guns, and Narcotics Task Forces. In addition, past Byrne JAG awards have funded the implementation of Megan's Law requirements by county prosecutor's offices, a study analyzing the effectiveness of New Jersey's inmate Re-entry Initiatives, and updating inmate videoconferencing equipment.

47. The New Jersey legislature anticipated receiving, and accounted for, the Byrne JAG award for FY 2017 as a "federal resource" when it passed the State's most recent appropriations act.

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48. On June 26, 2018, New Jersey was notified that it received a Byrne JAG award for FY 2017 in the amount of \$4,047,274.¹¹

49. The Division of Criminal Justice of the New Jersey Department of Law and Public Safety has planned on using the FY 2017 grant to fund the following: the Multi-Jurisdictional Gangs, Organized Crime and Narcotics Task Force, which is responsible for investigating and prosecuting members of criminal gang organizations, gun traffickers, and gun trafficking organizations whose operations transcend county jurisdictions or operate across state lines into, or out of, New Jersey; the Division's Megan's Law Coordinator, who is responsible for the coordination and oversight of all of the agencies responsible for implementing Megan's Law; and the Prosecutor Supervision Training Initiative, which ensures the availability of cost-free, high-quality training to State, county, and municipal law enforcement officers engaged in the investigation of gangs, drugs, and related violent criminal activity.

50. The Division of State Police of New Jersey's Department of Law and Public Safety plans to use the FY 2017 monies to fund the Organized Crime, Gangs, and Narcotics Task Force, which is responsible for spearheading New Jersey's ongoing war on drugs and gangs with strategic initiatives derived from intelligence-led policing efforts. The Division also plans to fund the State Police's Ballistics Unit, which routinely serves agencies throughout the State by providing expert advice on firearms-related evidence, preparing reports, offering courtroom testimony, providing lectures, and entering and correlating images in the National Integrated Ballistic Information Network.

51. New Jersey's deadline to accept the Byrne JAG award is August 10, 2018.

¹¹ See N.J. FY 2017 Byrne JAG Award, Ex. D.

D. Virginia

52. The Commonwealth of Virginia has used Byrne JAG funding to cover the administrative costs that support the salaries of critical staff in various divisions within the Virginia Department of Criminal Justice Services (VA-DCJS), including its Division of Law Enforcement, and to supplement essential staffing needs within the VA-DCJS Director's Criminal Justice Research Center.

53. In recent years, Virginia's subgrantees have used Byrne JAG funding to support various local law enforcement programs and initiatives, including crime reduction and prevention efforts, initiatives to upgrade law enforcement equipment, initiatives to support specialized law enforcement training, and the use of body cameras and life-saving naloxone.

54. On June 26, 2018, DOJ notified Virginia that it had been awarded \$3,353,534 in Byrne JAG monies for FY 2017.¹²

55. Virginia intends to use its FY 2017 Byrne JAG funding to make subgrants to localities and to continue funding to various law enforcement agencies and criminal justice partners. Virginia also plans to use Byrne JAG funds to continue to support the critical staffing and administrative needs at the VA-DCJS.

56. Virginia, through its state budget process, has also set aside funding to support longterm and ongoing law enforcement projects in anticipation of receiving FY 2017 Byrne JAG monies.

57. Virginia's deadline for accepting its FY 2017 Byrne JAG allocation is August 10,2018.

¹² See Va. FY 2017 Byrne JAG Award, Ex. E.

E. Washington

58. Washington has used Byrne JAG funding to support a number of criminal justice and law enforcement programs, including narcotics task forces, drug courts, and youth intervention programs. Washington also has used this funding to support high-impact offender prosecution and tribal law enforcement efforts, and to improve its state criminal history records. In addition, Byrne JAG funding has supported domestic violence legal advocacy and efforts to combat sexual abuse. Funds also have been directed to mitigate the gang threat in prisons and to support the Governor's Council on Substance Abuse.

59. Washington's subgrantees have used Byrne JAG funding for varied law enforcement purposes, including training, staffing, travel, equipment, professional services, and facilities, among others. These funds have been vital in Washington's attempts to combat criminal organizations.

60. On June 26, 2018, DOJ notified Washington that it had been awarded \$3,277,891 in Byrne JAG monies for FY 2017.¹³

61. Washington intends to use its FY 2017 Byrne JAG award to support multijurisdictional drug and gang task forces.

62. The chief law enforcement agencies of Washington State are the county sheriffs. Multi-jurisdictional task forces are an important tool in combating drug trafficking and gang violence. Drug trafficking, and the violence associated with this activity, is nearly impossible to address on a jurisdiction-by-jurisdiction basis, as drug trafficking organizations often operate at a level above the capacity of most local jurisdictions to adequately investigate and prosecute. These criminal organizations operate across city, county, and state boundaries, and therefore law

¹³ See Wash. FY 2017 Byrne JAG Award, Ex. F.

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enforcement cannot adequately investigate, disrupt, or dismantle these organizations when only a portion of their operation is targeted by local law enforcement.

63. Funding from the Byrne JAG program both encourages local agencies to participate in regional task forces, and helps local law enforcement agencies to offset costs associated with combatting drug trafficking and gang violence.

64. Washington has budgeted in anticipation of its receipt of the FY 2017 Byrne JAG award. Because these funds are distributed statewide, any delay or failure in receiving grant funding will negatively impact both Washington State as well as the numerous cities and counties in Washington that depend on this grant funding to combat crime and maintain public safety.

65. Washington's deadline for accepting its Byrne JAG allocation is August 10, 2018.

III. DOJ's Immigration-Related Byrne JAG Conditions

66. On January 25, 2017, President Trump issued Executive Order 13768. Section 9(a) of the order threatened to deny federal grant funding to all so-called "sanctuary jurisdictions." That section was permanently enjoined by a federal district court because it violated numerous provisions of the United States Constitution.¹⁴

67. DOJ subsequently sought to achieve a similar goal by imposing three immigrationrelated conditions on FY 2017 Byrne JAG funds.¹⁵ On July 25, 2017, DOJ announced that it would impose these conditions and provided a one-page "Backgrounder" and a press release, neither of which explained how or why DOJ decided to impose these immigration-related conditions, how the conditions would advance the interests of the Byrne JAG program, or what alternatives DOJ

¹⁴ County of Santa Clara v. Trump, 267 F. Supp. 3d 1201 (N.D. Cal. 2017) (permanent injunction).

¹⁵ See Press Release, Attorney General Sessions Announces Immigration Compliance Requirements for Edward Byrne Memorial Justice Assistance Programs (July 25, 2017), *available at* https://goo.gl/VH5wGU; Backgrounder on Grant Requirements (July 25, 2017), *available at* https://goo.gl/ZLgXMC; Byrne JAG FY2017 State Solicitation, *available at* https://www.bja.gov/funding/JAGstate17.pdf

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had considered.

68. On August 24, 2017, one day before State applications for FY 2017 Byrne JAG funds were due, DOJ published a sample final award document containing the three immigration-related conditions and stated that identical conditions would be imposed on other applicants.

69. The access condition requires all State and local grantees and State subgrantees to have a statute, rule, regulation, policy or practice designed to ensure that, upon request, federal agents may access any state or state-contracted or local or local-contracted correctional facility to question suspected aliens about their right to be, or remain, in the United States.

70. The notice condition requires all State and local grantees and State subgrantees to have a statute, rule, regulation, policy or practice designed to ensure that State and local officers will respond as soon as practicable to any formal written request from the Department of Homeland Security to a correctional facility seeking advance notice of a particular alien's scheduled release date and time.

71. In addition, States are required to monitor all of their subgrantees to ensure they are complying with the notice and access conditions.

72. The States also must accept various conditions related to 8 U.S.C. § 1373, which prohibits States and localities from restricting their officials from communicating with federal immigration authorities "regarding the citizenship or immigration status, lawful or unlawful, of any individual." 8 U.S.C. § 1373(a).¹⁶ The Section 1373 conditions will require States to:

• Comply with Section 1373 throughout the duration of the award;

¹⁶ See also 8 U.S.C. § 1373(b) ("Notwithstanding any other provision of Federal, state, or local law, no person or agency may prohibit, or in any way restrict, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual: (1) Sending information to, or requesting or receiving such information from, the Immigration and Naturalization Service. (2) Maintaining such information. (3) Exchanging such information with any other Federal, State, or local government entity.").

- Diligently monitor the compliance of all subgrantees with Section 1373; and
- Notify DOJ in writing if the State becomes aware of "credible evidence" that any subgrantee has violated Section 1373.

73. DOJ also requires three certifications from the States. The first, which must be by the State's Chief Executive, i.e., the Governor, attests to the State's compliance with Section 1373 and the other grant conditions. The second, which must be by the State's Chief Legal Officer, certifies the State's compliance with Section 1373 and that the Legal Officer understands that subgrantees must also comply with Section 1373. The third certification requires the State employee who signs the grant award to certify the State's compliance with all other grant conditions. Each certification carries the risk of personal criminal prosecution, civil penalties, and administrative remedies.

74. A number of jurisdictions have brought lawsuits challenging DOJ's legal authority to impose one or more of the immigration-related conditions on Byrne JAG funding. All courts to have considered the question to date have held that DOJ likely or definitely lacks authority to impose these conditions.

75. The City of Chicago sued on August 7, 2017, challenging the notice and access conditions and seeking a declaration that it complies with Section 1373.¹⁷ On September 15, 2017, a federal court in Chicago issued a nationwide preliminary injunction that prohibited DOJ from imposing the notice and access conditions on any Byrne JAG applicant.¹⁸ Rather than disburse the Byrne JAG awards without these conditions, DOJ instead decided to effectively suspend the

¹⁷ Compl., City of Chicago v. Sessions, No. 17-cv-05720, 264 F. Supp. 3d 933 (N.D. Ill. Aug. 7, 2017), ECF No. 1.

¹⁸ City of Chicago v. Sessions, 264 F. Supp. 3d 933 (N.D. Ill. 2017).

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program by withholding all further FY 2017 grant awards until the injunction was narrowed or there was a final decision on the merits in the Chicago action.

76. On April 19, 2018, the Seventh Circuit unanimously affirmed the Chicago district court's nationwide preliminary injunction on the notice and access conditions and its ruling that DOJ likely lacks authority to impose those two conditions.¹⁹

77. On June 26, 2018, the Seventh Circuit issued a partial stayed of the nationwide preliminary injunction previously issued by the district court in Chicago, limiting the effect of the injunction to Chicago. The Seventh Circuit also granted *en banc* review solely on the question of the propriety of the nationwide scope of the injunction.²⁰ The Seventh Circuit will hear argument *en banc* in September 2018 on that limited issue. DOJ did not challenge the Seventh Circuit's ruling that DOJ likely lacks authority to impose the notice and access conditions.

78. While the Chicago lawsuit was pending in the district court, the State of California and City of San Francisco filed lawsuits challenging the notice, access, and Section 1373 conditions.²¹ On March 5, 2018, a California district court denied DOJ's motion to dismiss both the California and San Francisco lawsuits, holding that those jurisdictions had stated plausible claims that the challenged conditions were unlawful.²²

¹⁹ City of Chicago v. Sessions, 888 F.3d 272 (7th Cir. 2018).

²⁰ *City of Chicago v. Sessions*, 17-2991 (7th Cir. June 4, 2018), Doc. No. 128 (granting en banc review on scope of preliminary injunction); Order, *Chicago v. Sessions*, 17-2991 (7th Cir. June 26, 2018), Doc. No. 134 (granting partial stay of injunction as to geographic areas beyond the City of Chicago).

²¹ Compl., *California ex rel. Becerra v. Sessions* ("*California*"), No. 17-cv-4701, (N.D. Cal. Aug. 14, 2017), ECF No. 1; Compl., *City of San Francisco v. Sessions*, No. 17-cv-4642 (N.D. Cal. Aug. 11, 2017), ECF No. 1.

²² Order Denying Mot. to Dismiss, *California*, No. 17-cv-4701 (Mar. 5, 2018), ECF No. 2018; Order Denying Mot. to Dismiss, *City of San Francisco v. Sessions*, No. 17-cv-4642 (N.D. Cal. Mar. 5, 2018), ECF No. 78. The district court denied California's request for a preliminary injunction enjoining DOJ from enforcing the Section 1373 condition on the State and its subdivisions, finding that the record was insufficient at the motion to dismiss stage to

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79. Shortly after the lawsuits in California were filed, the City of Philadelphia filed its own lawsuit.²³ On June 6, 2018, the district court in Philadelphia permanently enjoined DOJ from imposing the three conditions on Philadelphia and ordered DOJ to immediately disburse the Byrne JAG funds to Philadelphia.²⁴

80. On June 26, 2018, just hours after the Seventh Circuit issued its decision limiting the injunction to Chicago, DOJ issued grant award letters to the States. The States have 45 days to decide whether to accept the awards with the new immigration-related conditions.

IV. All Three Immigration-Related Conditions Are Unlawful.

81. All three immigration-related conditions are unlawful for a number of reasons.

82. First, DOJ has no statutory authorization to impose the conditions. An "agency literally has no power to act . . . unless and until Congress confers power upon it." *Louisiana Pub. Serv. Comm'n v. FCC*, 476 U.S. 355, 374 (1986). Here, nothing in the statute's text, structure, purpose, or history suggests that Congress granted DOJ authority to prescribe generally applicable substantive conditions like the notice, access, and Section 1373 conditions at issue here. See City of Chicago, 888 F.3d at 285-87; *City of Philadelphia*, --- F. Supp. 3d ---, 2018 WL 2725503, at *25.

83. The fact that Congress designed Byrne JAG as a formula grant provides further confirmation that DOJ lacks discretion to impose these substantive conditions. Formula grants leave no discretion to the administering agency: if a grantee satisfies the statutory requirements, it

enjoin the Section 1373 condition. *See* Order Denying Am. Mot. for Prelim. Inj. at 26-27, *California*, No. 17-cv-4701 (N.D. Cal. Mar. 5, 2018), ECF No. 89.

²³ Compl., *City of Philadelphia v. Sessions*, No. 17-cv-03894, (E.D. Pa. Aug. 30, 2017), ECF No. 1.

²⁴ City of Philadelphia v. Sessions, --- F. Supp. 3d. ---, 2018 WL 2725503, at *40-45 (E.D. Pa. 2018).

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is entitled to the grant amount that the formula dictates. *See, e.g., City of Los Angeles*, 865 F.2d at 1088.²⁵ Accordingly, DOJ's imposition of the new conditions is *ultra vires* for purposes of the Administrative Procedure Act.

84. Second, because Congress did not authorize DOJ to impose conditions on Byrne JAG, DOJ's actions here violate the Separation of Powers between Congress and the Executive. The Executive Branch may not arrogate to itself the powers that the Constitution reserves to Congress, as it has attempted to do here. The Executive has no authority to amend or cancel an appropriation that Congress has duly enacted. Nor can executive officials choose to spend less than the full amount of funding that Congress has authorized under a statute.

85. Third, the immigration-related conditions violate 34 U.S.C. § 10228(a), which is codified in the same chapter of the U.S. Code as the Byrne JAG statute and provides that "[n]othing in this title or any other Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over any police force or any other criminal justice agency of any State or any political subdivision thereof." This language has been carried forward in every law enforcement grant since the Omnibus Crime Control and Safe Streets Act of 1968—a predecessor to the Byrne JAG program and the first federal block grant program for State and local law enforcement.²⁶ The legislative history of § 10228 makes clear that Congress intended to incorporate anti-commandeering principles into the

²⁵ See also Paul G. Dembling & Malcolm S. Mason, Essentials of Grant Law Practice § 5.03, 33-35 (1991).

²⁶ See Omnibus Crime Control and Safe Street Act of 1968, Pub. L. No. 90-351, § 518(a), 82 Stat. 197, 208 (1968); see generally John K. Hudzik, *Federal Aid to Criminal Justice: Rhetoric, Results, Lessons* 1-68 (1984) (describing the origins of the Safe Streets Act).

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grant context to prevent executive officials from using a grant like Byrne JAG to interfere with state and local law enforcement policy.²⁷

86. All three immigration-related conditions violate Section 10228(a) because they compel States to act as enforcement arms of federal immigration authorities by, for example, requiring States to monitor and report to DOJ whether all of the States' subgrantees comply with Section 1373.

87. Fourth, the Section 1373 conditions are invalid because Section 1373 is unconstitutional. *See South Dakota v. Dole*, 483 U.S. 203, 210-211 (1987) (federal government cannot impose unconstitutional conditions). In *Murphy v. NCAA*, 138 S. Ct. 1461, 1478 (2018), the Supreme Court held that Congress runs afoul of the anti-commandeering principles of the Tenth Amendment when it "unequivocally dictates what a state legislature may and may not do." Section 1373 violates this rule because it directly prohibits States and localities enacting laws, rules, or policies that "prohibit or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Nationalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual." 8 U.S.C. § 1373(a). *See, e.g., City of Philadelphia, ---* F. Supp. 3d. ---, 2018 WL 2725503, at *32-33 (citing *Murphy* and holding that 8 U.S.C. § 1373 violates the Tenth Amendment).

88. Finally, the conditions are arbitrary and capricious because DOJ imposed them without any explanation, reasoning, or opportunity for exchange with state or local governments regarding the likely impact of the conditions on state and local efforts to promote public safety.

²⁷ See, e.g., Amendments to Title I (LEAA) of the Omnibus Crime Control and Safe Streets Act: Hearing Before the Subcomm. on Criminal Laws and Procedures of the S. Comm. of the Judiciary, 94th Cong. 407-08 (1975) (statement of Richard W. Velde, Administrator of the LEAA) ("It is disturbing that it should even be suggested that LEAA ought to undertake to redirect the efforts of state and local law enforcement agencies The Congress has continuously emphasized that law enforcement is, and must remain, essentially a state and local responsibility. Section 518(a) of the Safe Streets Act is the embodiment of this appropriate philosophy.").

V. The States Are Harmed by DOJ's Imposition of the Immigration-Related Conditions On Byrne JAG funding.

89. The three immigration-related conditions imposed by DOJ upon applicants for FY 2017 Byrne JAG funding threaten the States and their localities with serious, immediate, and irreparable harm.

90. In our federal system, the States and localities have primary responsibility for the design of law-enforcement policies to keep their residents safe. *See, e.g., United States v. Morrison*, 529 U.S. 598, 618 (2000) ("[W]e can think of no better example of the police power . . . reposed in the States[] than the suppression of violent crime and vindication of its victims.").

91. Recognizing that the States possess the primary authority for maintaining public safety, Congress designed the Byrne JAG program to maximize the discretion of States and their localities to decide how to best use these funds to advance their law enforcement priorities and make their communities safer. The immigration-related conditions constrain the very choices that Congress sought to safeguard.

92. DOJ's actions place the States in an untenable position. If the States do not acquiesce to the conditions, they will forfeit tens of millions of dollars in law enforcement funding, potentially compromising the critical law enforcement and criminal justice programs those funds support.

93. If they accept these conditions, the States will be forced to relinquish sovereign control over state law enforcement officials and state law enforcement policies, including policy choices to allow localities to adopt law enforcement and criminal justice policies based on local needs. Localities that lawfully limited voluntary cooperation with federal immigration officials will now be compelled to adopt policies that undermine their relationships of trust with their immigrant communities, to the detriment of effective crime reporting and overall public safety in

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the States. Immigrants also may be deterred from seeking primary care and preventative health care services, undermining the public health efforts of States and localities. The trust between immigrants and state and local officials, "once destroyed by the mandated cooperation and communication with the federal immigration authorities, [cannot] easily be restored." *City of Chicago*, 888 F.3d at 291.

94. Public safety will be further undermined because States will be unable to issue Byrne JAG subgrants to localities that DOJ believes do not comply with one or more of the three conditions. DOJ has previously sent letters to two major cities in New York State—the City of New York and Albany—alleging that these jurisdictions have laws or policies that violate Section 1373. These cities will be hampered in their ability to promote their law enforcement priorities if New York State is forced to withhold critical Byrne JAG funds from them. And the State itself is injured when its localities are unable to effectively police their communities. As another example, the Washington State Patrol is a subgrantee participant in multi-jurisdictional drug and gang task forces across Washington State. According to a longstanding federal consent decree, the Washington State Patrol is prohibited from participating in the enforcement of immigration laws. Without a Byrne JAG subgrant, the State Patrol will be hindered in its ability to participate in these critical task forces.

95. DOJ has also sought to require the States to monitor their subgrantees' compliance with the three conditions—a process that will require the States to expend considerable time and money, including building an infrastructure to conduct inspections, review records, and compile and transmit data. And if Defendants disagree with the States' determination that a subgrantee complies with the conditions, the States could lose other federal grants and face civil or criminal liability.

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96. Certifying compliance with Section 1373 is particularly perilous for States given Defendants' expansive and ever-changing interpretations of that statute's meaning and application. DOJ has advanced increasingly broad interpretations of what it means to comply with Section 1373. For example, DOJ has suggested that Section 1373 prevents jurisdictions from enacting policies that define the time and manner in which their employees exchange immigration-status information with federal officials.²⁸ DOJ also has suggested that Section 1373 requires jurisdictions to not only provide advance notification of an alien's scheduled release from state or local custody, but also to facilitate transfers from State and local jails to federal immigration authorities.²⁹ DOJ has further suggested that Section 1373 requires jurisdictions to not only share the immigration and citizenship status of individuals, but that it also requires jurisdictions to share an alien's home and work address and his scheduled release date from incarceration.³⁰ On top of all of this, DOJ has taken the position that jurisdictions have an affirmative obligation to

²⁸ See, e.g., Letter from Alan Hanson, Acting Assistant Attorney General, to Elizabeth Glazer, Director, New York City Mayor's Office of Criminal Justice (Oct. 11, 2017), *available at* <u>https://www.justice.gov/opa/press-release/file/1003041/download</u> (last visited July 6, 2018); Letter from Alan Hanson, Acting Assistant Attorney General, to the Hon. Jim Kenney, Mayor, City of Philadelphia (Oct. 11, 2017), *available at* <u>https://www.justice.gov/opa/press-release/file/1003046/download</u> (last visited July 6, 2018).

²⁹ See Def.'s Proposed Findings of Fact 8-11, *City of Philadelphia v. Sessions*, No. 17-cv-3894 (E.D. Pa. May 17, 2018), ECF No. 200; Pl.'s Mot. for Prelim. Inj. and Mem. of Law in Support 24-26, *United States v. California*, No. 18-cv-00490 (E.D. Cal. Mar. 6, 2018), ECF No. 2-1 (suggesting California law violates § 1373 by restricting the transfer of aliens in state custody to federal custody).

³⁰ See, e.g., Pl.'s Mot. for Prelim. Inj. and Mem. of Law in Support 27-28, *United States v. California*, 18-cv-00490 (E.D. Cal. Mar. 6, 2018), ECF No. 2-1 (asserting that the phrase "information regarding the citizenship or immigration status . . . of any individual" in § 1373 "does not merely denote an alien's technical immigration status"); Letter from Alan Hanson, Acting Assistant Attorney General, to Elizabeth Glazer, Director, New York City Mayor's Office of Criminal Justice, at 2 (Oct. 11, 2017), *available at* https://www.justice.gov/opa/press-release/file/1003041/download (last visited July 6, 2018) ("In order to comply with 8 U.S.C. § 1373, the Department has determined that New York would need to certify that it interprets and applies Section 9-131(b) and (d) to not restrict New York officers from sharing information regarding the date and time of an alien's release from custody."). But at least one federal court has ruled that Section 1373 does not govern release dates or home or work addresses. Order re: United States of America's Mot. for Prelim. Inj., *United States v. California*, 18-cv-490 (E.D. Cal. July 5, 2018), ECF No. 193.

communicate DOJ's interpretation of Section 1373 to their employees.³¹ Thus, DOJ requires States not only to certify compliance with the black-letter of Section 1373 but with DOJ's ever-shifting interpretation of the scope of that statute.

CAUSES OF ACTION

COUNT I Violation of Separation of Powers

97. Plaintiffs incorporate by reference the allegations in the preceding paragraphs.

98. The Constitution vests the spending power in Congress, not the Executive Branch.

U.S. Const. art. I § 8, cl. 1.

99. Congress may delegate some discretion to the Executive to decide how to spend appropriated funds, but that discretion is cabined by the scope of the delegation. *See City of Arlington v. FCC*, 569 U.S. 290, 297-98 (2013).

100. The Executive cannot amend or cancel appropriations that Congress has duly enacted. *See Train v. City of New York*, 420 U.S. 35, 38, 44 (1975); *In re Aiken Cnty.*, 725 F.3d 255, 261 n.1 (D.C. Cir. 2013).

101. The new immigration-related conditions amount to a refusal to spend money appropriated by Congress, in violation of the Executive's constitutional authority to administer the law.

³¹ See, e.g., Letter from Alan Hanson, Acting Assistant Attorney General, to Elizabeth Glazer, Director, New York City Mayor's Office of Criminal Justice, at 1 (Oct. 11, 2017), *available at* <u>https://www.justice.gov/opa/press-release/file/1003041/download</u> (last visited July 6, 2018) ("In order to comply with 8 U.S.C. § 1373, the Department has determined that . . . New York would need to certify that it has communicated this interpretation to its officers and employees."); Letter from Alan Hanson, Acting Assistant Attorney General, to the Hon. Jim Kenney, Mayor, City of Philadelphia, at 2 (Oct. 11, 2017), *available at* <u>https://www.justice.gov/opa/press-release/file/1003046/download</u> (last visited July 6, 2018) ("In order to comply with 8 U.S.C. § 1373, the Department has determined that Philadelphia visited July 6, 2018) ("In order to comply with 8 U.S.C. § 1373, the Department has determined that Philadelphia interprets and applies this Executive Order to not restrict Philadelphia's officers from sharing information regarding immigration status with federal immigration officers. The Department has also determined that Philadelphia would need to certify that it has communicated this interpretation to its officers and employees.").

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102. Congress did not authorize the notice, access or 1373 conditions. Rather, those conditions were imposed by DOJ. Therefore, the three conditions amount to an improper usurpation of Congress's spending power by the Executive.

103. The Byrne JAG statute does not authorize the U.S. Attorney General to impose generally applicable substantive conditions on grant recipients.

104. DOJ does not have authority under 34 U.S.C. § 10102(a)(6) to impose the three conditions.

105. DOJ also does not have the authority to determine that Section 1373 is an "applicable federal law" for purposes of 34 U.S.C. § 10153(a)(5)(D).

106. Pursuant to 28 U.S.C. § 2201, Plaintiffs are entitled to a declaration that the Attorney General's imposition of the three conditions violates the constitutional principle of separation of powers and impermissibly arrogates to the Executive power that is reserved to Congress. Plaintiffs are also entitled to a permanent injunction preventing the Attorney General from putting those conditions into effect.

COUNT II Violation of the Administrative Procedure Act *Ultra Vires* Conduct

107. Plaintiffs incorporate by reference the allegations in the preceding paragraphs.

108. Under the Administrative Procedure Act ("APA"), a court must set "aside agency action that is "in excess of statutory jurisdiction, authority, or limitations, or short of statutory right." 5 U.S.C. § 706(2)(C). DOJ's imposition of the three conditions on the Byrne JAG award are such agency action.

109. DOJ may only exercise authority conferred by statute. *See City of Arlington*, 569U.S. at 297.

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110. The Byrne JAG statute does not authorize the Attorney General to impose conditions on the receipt of Byrne JAG funds, or to deny funds to states or local governments that fail to comply with those conditions. *See City of Chicago*, 888 F.3d at 283.

111. DOJ also lacks statutory authority to condition Byrne JAG funds on compliance with Section 1373. The Byrne JAG statute's requirement that grantees comply with "all applicable Federal laws" does not encompass Section 1373. Rather, the phrase "all applicable Federal laws" refers to the laws that regulate the conduct of federal grant recipients *as grant recipients* and not to every section of the U.S. Code that could possibly apply to a state or local government. Section 1373 does not regulate grantees as grantees nor does it mention federal grants or funds.

112. Congress has repeatedly considered and rejected legislation that would withhold grant funding as a penalty for noncooperation with federal immigration law.³² Courts should look skeptically on executive action where Congress declined to enact legislation that would have granted the same or substantially similar authority to the executive branch. *See FDA v. Brown & Williamson Tobacco Corp.*, 529 U.S. 120, 159-60 (2000).

113. Pursuant to 5 U.S.C. § 706 and 28 U.S.C. § 2201, Plaintiffs are entitled to a declaration that the Attorney General lacks authority to impose the notice, access, and Section 1373 conditions on FY Byrne JAG funds and, in doing so, has acted contrary to law in violation of the APA. Plaintiffs are also entitled to a permanent injunction preventing the Attorney General from putting those conditions into effect.

³² See, e.g., Stop Dangerous Sanctuary Cities Act, H.R. 5654, 114th Cong. § 4 (2016); Stop Dangerous Sanctuary Cities Act, S. 3100, 114th Cong. § 4 (2016); Enforce the Law for Sanctuary Cities Act, H.R. 3009, 114th Cong. (2016); Mobilizing Against Sanctuary Cities Act, H.R. 3002, 114th Cong. § 2 (2015); Stop Sanctuary Policies and Protect Americans Act, S. 2146, 114th Cong. § 3 (2015); Stop Sanctuary Cities Act, S. 1814, 114th Cong. § 3 (2015); Stop Sanctuary Cities Act, S. 1814, 114th Cong. § 2 (2015); Financial Services and General Government Appropriations Act, FY2017, H.R. 5485, 114th Cong., § 1217 (2016); *see also* H.R. 3355, 103d Cong. § 5119 (Nov. 19, 1993) (Senate version of Violent Crime Control and Law Enforcement Act, which would have authorized DOJ to withhold grant funding if the jurisdiction did not cooperate with the Immigration and Naturalization Service).

COUNT III Violation of the Administrative Procedure Act Agency Action Not in Accordance with Law

114. Plaintiffs incorporate by reference the allegations in the preceding paragraphs.

115. Under the APA, a court must set "aside agency action" that is "not in accordance with law." 5 U.S.C. § 706(2)(A).

116. The notice, access, and Section 1373 conditions are invalid under 34 U.S.C. § 10228(a), which prohibits Executive Branch officials from using law-enforcement grants to exert "any direction, supervision, or control" over any state or local police force or criminal justice agency.

117. Pursuant to 5 U.S.C. § 706 and 28 U.S.C. § 2201, Plaintiffs are entitled to a declaration that the Attorney General is without authority to impose the notice, access, and Section 1373 conditions on FY Byrne JAG funds and, in doing so, has acted contrary to law under the APA. Plaintiffs are also entitled to a permanent injunction preventing the Attorney General from putting those conditions into effect.

COUNT IV Violation of the Administrative Procedure Act Arbitrary and Capricious Agency Action

118. Plaintiffs incorporate by reference the allegations in the preceding paragraphs.

119. Under the APA, a court must set "aside agency action" that is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law," 5 U.S.C. § 706(2)(A)—for example, because the agency has failed to consider relevant evidence or "articulate a satisfactory explanation for its action." *Motor Vehicle Mfrs. Ass 'n of U.S., Inc. v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983).

120. An agency's departure from prior practice can also serve as a basis for finding an agency's interpretation to be arbitrary and capricious if the change in policy constitutes an

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"unexplained inconsistency." Nat'l Cable & Telecomms. Ass'n v. Brand X Internet Servs., 545 U.S. 967, 981 (2005).

121. DOJ departed from more than a decade of past practice when it imposed the immigration-related conditions, yet provided almost no explanation for its decision. *See Encino Motorcars, LLC v. Navarro*, 136 S. Ct. 2117, 2126 (2016) ("the agency must at least display awareness that it is changing position and show that there are good reasons for the new policy"). DOJ has never before sought to impose notice and access conditions on grantees, nor has it ever "sought to enforce [Section 1373] against a state or local government."³³

122. DOJ has never previously determined that Section 1373 is an "applicable Federal law" for the purposes of the Byrne JAG program.

123. Despite DOJ's shift in policy, it has provided virtually no explanation for its decisions. It released no reports, studies or analysis in connection with its July 25, 2017 announcement of the immigration-related grant conditions, nor has it attempted to justify its aggressive and shifting interpretations of Section 1373.

124. In addition, DOJ "relied on factors which Congress has not intended it to consider," *State Farm*, 463 U.S. at 43, by, for example, evaluating grant applicants on the basis of their compliance with the immigration-related conditions rather than on their compliance with expressly enumerated statutory application requirements. *See* 34 U.S.C. § 10153(a)(1)-(6).

125. DOJ also "entirely failed to consider an important aspect of the problem" by failing to recognize how Section 1373 interferes with local policies that promote public health and safety. *See Philadelphia*, 280 F. Supp. 3d at 625.

³³ Elizabeth M. McCormick, Federal Anti-Sanctuary Law: A Failed Approach to Immigration Enforcement and a Poor Substitute for Real Reform, 20 Lewis & Clark L. Rev. 165, 170 (2016).

126. Pursuant to 5 U.S.C. § 706 and 28 U.S.C. § 2201, Plaintiffs are entitled to a declaration that the immigration-related conditions violate the APA. Plaintiffs are also entitled to a permanent injunction preventing the Attorney General from putting those conditions into effect.

COUNT V Tenth Amendment: Commandeering

127. Plaintiffs incorporate by reference the allegations in the preceding paragraphs.

128. The Tenth Amendment prohibits the federal government from "requir[ing] States and localities "to govern according to Congress' instructions," *New York v. United States*, 505 U.S. 144, 162 (1992), or "command[ing] the States' officers … to administer or enforce a federal regulatory program," *Printz v. United States*, 521 U.S. 898, 935 (1997).

129. Section 1373 violates the Tenth Amendment because it "unequivocally dictates what a state legislature may and may not do." *Murphy*, 138 S. Ct. at 1476. *See City of Philadelphia*, --- F. Supp. 3d. ---, 2018 WL 2725503, at *33.

130. Because Section 1373 violates the Tenth Amendment, DOJ cannot require jurisdictions to comply with that statute as a condition of receiving Byrne JAG funds. *See South Dakota v. Dole*, 483 U.S. 203, 207-08 (1987).

131. Pursuant to 28 U.S.C. § 2201, Plaintiffs are entitled to a declaration that the Section 1373 condition violates the Tenth Amendment. Plaintiffs are also entitled to a permanent injunction preventing the Attorney General from putting that condition into effect.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray this Court:

- (a) Declare that the three conditions for the FY 2017 Byrne JAG program are unlawful;
- (b) Enjoin Defendants from enforcing the three conditions for the FY 2017 Byrne JAG program on any jurisdiction and retain jurisdiction to monitor DOJ's compliance with this Court's judgment;
- (c) Issue a writ of mandamus compelling Defendants to immediately send a FY 2017 Byrne JAG award letter without the three immigration-related conditions to the States and their localities;
- (d) Award the States their reasonable fees, costs, and expenses, including attorneys' fees, pursuant to 28 U.S.C. § 2412; and
- (e) Grant other such relief as this Court may deem proper.

Dated: July 18, 2018

Anisha S. Dasgupta, Deputy Solicitor General Caroline A. Olsen,[†] Assistant Solicitor General Eric R. Haren, Special Counsel & Senior Advisor

Of Counsel

GEORGE JEPSEN

Attorney General State of Connecticut

By: <u>/s/ Mark F. Kohler</u> Mark F. Kohler, **Assistant Attorney General Michael Skold, **Assistant Attorney General 55 Elm St., P.O. Box 120 Hartford, CT 06141-0120 <u>Mark.Kohler@ct.gov</u> <u>Michael.Skold@ct.gov</u> Phone: (860) 808-5020 Respectfully submitted,

BARBARA D. UNDERWOOD

Attorney General State of New York

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Attorney General State of Washington

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[†]Admitted in the S.D.N.Y.

* S.D.N.Y. admission application forthcoming

***Pro hac vice* motion forthcoming

Exhibit A

New York Byrne JAG Award Letter



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

June 26, 2018

Mr. Michael C. Green New York State Division of Criminal Justice Services Alfred E. Smith Office Building 80 South Swan St. Albany, NY 12210-8001

Dear Mr. Green:

On behalf of Attorney General Jefferson Sessions III, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 17 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - State Solicitation in the amount of \$8,879,161 for New York State Division of Criminal Justice Services.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Ania Dobrzanska, Program Manager at (202) 598-7476; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

R Z

Alan R. Hanson Principal Deputy Assistant Attorney General

Enclosures



OFFICE FOR CIVIL RIGHTS

Office of Justice Programs U.S. Department of Justice 810 7th Street, NW Washington, DC 20531

Tel: (202) 307-0690 TTY: (202) 307-2027 E-mail: askOCR@usdoj.gov Website: www.ojp.usdoj.gov/ocr

June 26, 2018

Mr. Michael C. Green New York State Division of Criminal Justice Services Alfred E. Smith Office Building 80 South Swan St. Albany, NY 12210-8001

Dear Mr. Green:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at http://ojp.gov/about/ocr/vawafaqs.htm.

Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website http://www.lep.gov.

Ensuring Equal Treatment for Faith-Based Organizations

The DOJ regulation, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Using Arrest and Conviction Records in Making Employment Decisions

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at http://www.ojp.usdoj.gov//about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOPs) (see below).

Complying with the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEOP (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), .205(c)(5)).

Meeting the EEOP Requirement

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at http://www.ojp.usdoj.gov/about/ocr/eeop.htm. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOsubmisson@usdoj.gov.

Meeting the Requirement to Submit Findings of Discrimination

If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

Ensuring the Compliance of Subrecipients

SAAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see http://www.ojp.usdoj.gov/funding/other_requirements.htm.

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,

Minh 2. also

Michael L. Alston Director

cc: Grant Manager Financial Analyst

REAL PROPERTY OF THE PROPERTY	U.S. Departme Office of Justic Bureau of J			Grant		PAGE	1 OF 22
1. RECIPIENT NAM	IE AND ADDRESS	Including Zip Code)	4. AWAR	D NUMBER: 2017-DJ-	BX-0061		
New York State Division of Criminal Justice Services			5. PROJECT PERIOD: FROM 10/01/2016 TO 09/30/2020 BUDGET PERIOD: FROM 10/01/2016 TO 09/30/2020				
			6. AWAR	D DATE 06/26/2018		7. ACTION	
2a. GRANTEE IRS/V 146013200	VENDOR NO.		8. SUPPL 00	EMENT NUMBER		Ini	tial
2b. GRANTEE DUN	IS NO.		9. PREVIO	OUS AWARD AMOUNT			\$0
780875423 3. PROJECT TITLE			10. AMOU	JNT OF THIS AWARD		\$ 8,879	.161
New York State's Grant (JAG) Prog		rne Memorial Justice Assista		L AWARD		\$ 8,879	
including subpart 14 . CATALOG OF I	pported under FY17(I 1 of part E (codified DOMESTIC FEDER	RANT BJA - JAG State and JAG Lo at 42 U.S.C. 3750 - 3758); se AL ASSISTANCE (CFDA N ce Assistance Grant Program	e also 28 U.S.C. 530 Jumber)		dified at 42 U.S	S.C. 3711 - 3797fi	f-5),
15. METHOD OF PA GPRS	AYMENT AGENCY APP	ROVAL			TEE ACCEPTA		
16. TYPED NAME A Alan R. Hanson Principal Deputy A	AND TITLE OF APP Assistant Attorney G		Mic	ED NAME AND TITLE O hael C. Green cutive Deputy Commissior		ED GRANTEE O	FFICIAL
17. SIGNATURE OF	APPROVING OFFI		19. SIGN	ATURE OF AUTHORIZI	ED RECIPIENT	ſ OFFICIAL	19A. DATE
		A	AGENCY USE ONL	Y			
20. ACCOUNTING O FISCAL FUND YEAR CODE X B	BUD. I ACT. OFC. F	CODES DIV. EG. SUB. POMS AM	21. SD	JUGT1250			

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

CONTRACTOR DE LA CONTRA	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 2 OF 22
PROJECT NUMBER	2017-DJ-BX-0061	AWARD DATE 06/26/2018	
	SPECIAL	CONDITIONS	
1. Requi	rements of the award; remedies for non-co	ompliance or for materially false statements	
submi requir	tted by or on behalf of the recipient that re ement of this award.	ements of the award. Compliance with any certificate to conduct during the period of performance e award requirements whether a condition set ou	also is a material
condit may re award	ion incorporated by reference below, or a esult in the Office of Justice Programs ("C . Among other things, the OJP may with	certification or assurance related to conduct durin DJP") taking appropriate action with respect to the hold award funds, disallow costs, or suspend or ten DJP, also may take other legal action as appropriat	ng the award period recipient and the rminate the award.
or om and/or	ission of a material fact) may be the subject	tement to the federal government related to this a ct of criminal prosecution (including under 18 U.S mposition of civil penalties and administrative rer 730 and 3801-3812).	S.C. 1001 and/or 1621,
shall f	irst be applied with a limited construction nstead, that the provision is utterly invalid	ward be held to be invalid or unenforceable by its so as to give it the maximum effect permitted by d or -unenforceable, such provision shall be deeme	law. Should it be
2. Applie	cability of Part 200 Uniform Requirement	S	
and su		st Principles, and Audit Requirements in 2 C.F.R.) (together, the "Part 200 Uniform Requirements"	
supple Decen (regar	ements funds previously awarded by OJP to nber 2014), the Part 200 Uniform Require	adopted by DOJ on December 26, 2014. If this F under the same award number (e.g., funds awarde ments apply with respect to all funds under that a whether derived from the initial award or a supple this FY 2017 award.	d during or before ward number
		200 Uniform Requirements as they relate to OJP .gov/funding/Part200UniformRequirements.htm.	awards and subawards
that m		s from documents or other materials prepared or one way from, the provisions of the Part 200 Unifonation.	
3. Comp	liance with DOJ Grants Financial Guide		
DOJ (rants Financial Guide as posted on the OJP websit //ojp.gov/financialguide/DOJ/index.htm), includin ance.	

OF CONTRACTOR OF	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 3 OF 22
PROJECT NU	MBER 2017-DJ-BX-0061	AWARD DATE 06/26/2018	
	SPECIAL	. CONDITIONS	
4.	Required training for Point of Contact and all F Both the Point of Contact (POC) and all Finance completed an "OJP financial management and g recipient's acceptance of the award. Successful this condition. In the event that either the POC or an FPOC for FPOC must have successfully completed an "O calendar days after (1) the date of OJP's approp POC), or (2) the date the POC enters informatic completion of such a training on or after Januar A list of OJP trainings that OJP will consider "O purposes of this condition is available at https:// include a session on grant fraud prevention and The recipient should anticipate that OJP will im	Financial Points of Contact cial Points of Contact (FPOCs) for this award muss grant administration training" by 120 days after the completion of such a training on or after January r this award changes during the period of perform DP financial management and grant administration oval of the "Change Grantee Contact" GAN (in the on on the new FPOC in GMS (in the case of a new ry 1, 2015, will satisfy this condition. OJP financial management and grant administration (www.ojp.gov/training/fmts.htm. All trainings th	he date of the y 1, 2015, will satisfy hance, the new POC or n training" by 120 e case of a new w FPOC). Successful on training" for at satisfy this condition recipient fails to
5.	indirect cost rate described in 2 C.F.R. 200.414 OJP in writing of both its eligibility and its elec	cost rate Iniform Requirements and other applicable law to (f), and that elects to use the "de minimis" indirec- ction, and must comply with all associated require may be applied only to modified total direct cost	ct cost rate, must advise ements in the Part 200
6.	funds during the period of performance for this of those other federal awards have been, are be identical cost items for which funds are provide awarding agency (OJP or OVW, as appropriate	Is of federal funds, or if the recipient receives any award, the recipient promptly must determine wh ing, or are to be used (in whole or in part) for one ed under this award. If so, the recipient must pror i) in writing of the potential duplication, and, if so tion or change-of-project-scope grant adjustment	nether funds from any or more of the nptly notify the DOJ requested by the DOJ

RECEIPTION OF THE RECEIPTION O	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 4 OF 22
PROJECT NUMBE	R 2017-DJ-BX-0061	AWARD DATE	06/26/2018	
	SPECIAL	. CONDITIONS		
7. Rec	uirements related to System for Award Mar	nagement and Uni	versal Identifier Requirements	
curi	recipient must comply with applicable requertly accessible at https://www.sam.gov/. Swell as maintaining the currency of informat	This includes appli		
(firs	recipient also must comply with applicable st-tier "subgrantees"), including restrictions pient) the unique entity identifier required f	on subawards to e	ntities that do not acquire and pa	
at h	details of the recipient's obligations related ttps://ojp.gov/funding/Explore/SAM.htm (A ntifier Requirements), and are incorporated	Award condition: S		
	s condition does not apply to an award to an business or non-profit organization that he			erson (i.e., unrelated to
8. All	subawards ("subgrants") must have specific	c federal authorizat	ion	
auth adn	recipient, and any subrecipient ("subgrante norization of any subaward. This condition ninistrative requirements OJP considers a ntract").	applies to agreeme	ents that for purposes of feder	al grants
http	details of the requirement for authorization s://ojp.gov/funding/Explore/SubawardAuth cific federal authorization), and are incorpor	orization.htm (Aw	ard condition: All subawards (
	cific post-award approval required to use a seed \$150,000	noncompetitive ap	proach in any procurement cont	tract that would
spe Sim fedd	recipient, and any subrecipient ("subgrante cific advance approval to use a noncompetit plified Acquisition Threshold (currently, \$1 eral grants administrative requirements O. baward).	tive approach in an 150,000). This cor	y procurement contract that wo dition applies to agreements that	uld exceed the at for purposes of
an ((Av	details of the requirement for advance appr DJP award are posted on the OJP web site at vard condition: Specific post-award approv- contract would exceed \$150,000)), and are in	t https://ojp.gov/fu al required to use a	nding/Explore/Noncompetitivel a noncompetitive approach in a	Procurement.htm

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STORE STORES	and a second	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 5 OF 22
PROJECT NU	JMBER	2017-DJ-BX-0061	AWARD DATE	06/26/2018	
		SPECIAL	CONDITIONS		
10.		rements pertaining to prohibited conduct r athority to terminate award)	elated to trafficki	ng in persons (including reporti	ng requirements and
	require part of of the r	cipient, and any subrecipient ("subgranted ements to report allegations) pertaining to recipients, subrecipients ("subgrantees"), recipient or of any subrecipient.	prohibited condu , or individuals de	act related to the trafficking of pe fined (for purposes of this cond	ersons, whether on the ition) as "employees"
	OJP w	etails of the recipient's obligations related eb site at https://ojp.gov/funding/Explore, et by recipients and subrecipients related to ity to terminate award)), and are incorpor-	/ProhibitedCondu to trafficking in p	ct-Trafficking.htm (Award condersons (including reporting requ	dition: Prohibited
11.	Compl other e	iance with applicable rules regarding app	roval, planning, a	and reporting of conferences, me	eetings, trainings, and
	policie applica	cipient, and any subrecipient ("subgranted es, and official DOJ guidance (including s able) governing the use of federal funds fo ing the provision of food and/or beverage	pecific cost limits or expenses relate	s, prior approval and reporting red to conferences (as that term is	equirements, where defined by DOJ),
		nation on the pertinent DOJ definition of c Financial Guide (currently, as section 3.1 ').			
12.	Requir	rement for data on performance and effect	tiveness under the	award	
	The da solicita	cipient must collect and maintain data that the must be provided to OJP in the manner ation or other applicable written guidance mance and Results Act (GPRA) and the C	r (including within . Data collection	n the timeframes) specified by C supports compliance with the G	DJP in the program
13.	OJP Ti	raining Guiding Principles			
	deliver	aining or training materials that the recipi rs with OJP award funds must adhere to the ble at https://ojp.gov/funding/ojptrainingg	he OJP Training O	Guiding Principles for Grantees	
14.	Effect	of failure to address audit issues			
	award does no Requir	cipient understands and agrees that the D funds, or may impose other related requin ot satisfactorily and promptly address out rements (or by the terms of this award), or gations, or reviews of DOJ awards.	rements, if (as det tstanding issues fr	ermined by the DOJ awarding a om audits required by the Part 2	gency) the recipient 200 Uniform
15.	Potenti	ial imposition of additional requirements			
	(OJP o	cipient agrees to comply with any additio or OVW, as appropriate) during the period or purposes of the DOJ high-risk grantee	d of performance		

REAL PROPERTY OF THE PROPERTY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 6 OF 22
PROJECT NU	MBER 2017-DJ-BX-0061	AWARD DATE 06/26/2018	
	SPECIAL	CONDITIONS	
16.	Compliance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Par	rt 42
		e") at any tier, must comply with all applicable re- cable requirements in Subpart E of 28 C.F.R. Part	
17.	Compliance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Par	rt 54
		e") at any tier, must comply with all applicable re- on on the basis of sex in certain "education progra	
18.	Compliance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Par	rt 38
	C.F.R. Part 38, specifically including any applic	e") at any tier, must comply with all applicable re- cable requirements regarding written notice to pro 8 C.F.R., a DOJ regulation, was amended effective	gram beneficiaries and
	religion, a religious belief, a refusal to hold a rel Part 38 also sets out rules and requirements that	rules that prohibit specific forms of discrimination ligious belief, or refusal to attend or participate in pertain to recipient and subrecipient ("subgranted es, as well as rules and requirements that pertain ganizations.	a religious practice. ") organizations that
	available via the Electronic Code of Federal Reg	ships with Faith-Based and Other Neighborhood gulations (currently accessible at https://www.ecf 28-Judicial Administration, Chapter 1, Part 38, ur	r.gov/cgi-
19.	Restrictions on "lobbying"		
	subrecipient ("subgrantee") at any tier, either dia modification, or adoption of any law, regulation	nds awarded by OJP may not be used by the recip rectly or indirectly, to support or oppose the enact a, or policy, at any level of government. See 18 U te specifically authorizes certain activities that oth	tment, repeal, I.S.C. 1913. (There
	subrecipient at any tier, to pay any person to inf. Congress, or Congress (or an official or employe cooperative agreement, subgrant, contract, subc	funds awarded by OJP from being used by the rec luence (or attempt to influence) a federal agency, ee of any of them) with respect to the awarding or ontract, or loan, or with respect to actions such as 352. Certain exceptions to this law apply, including	a Member of f a federal grant or renewing, extending,
		ular use of federal funds by a recipient (or subrec ecipient is to contact OJP for guidance, and may r	

				SHEET Grant	PAGE 7 OF 22
ROJECT NU	MBER	2017-DJ-BX-0061	AWARD DATE	06/26/2018	
		SPECIAL	CONDITIONS		
20.	Compl	iance with general appropriations-law res	strictions on the u	se of federal funds (FY 2017)	
	federal provisi https:// Should fall wit	cipient, and any subrecipient ("subgranted funds set out in federal appropriations st ions" in the Consolidated Appropriations /ojp.gov/funding/Explore/FY17Appropria l a question arise as to whether a particula thin the scope of an appropriations-law re d without the express prior written appro	atutes. Pertinent Act, 2017, are set ationsRestrictions ar use of federal f estriction, the reci	restrictions, including from var t out at .htm, and are incorporated by re unds by a recipient (or a subrec	ious "general eference here. ipient) would or might
21.	-	ing potential fraud, waste, and abuse, and		uct	
	The red Genera person commi miscor Potenti OIG by 950 Pe	cipient, and any subrecipients ("subgranter al (OIG) any credible evidence that a prin has, in connection with funds under this itted a criminal or civil violation of laws p	ees") at any tier, r cipal, employee, award (1) subm pertaining to frauc rolving or relating pector General, U. Vashington, DC 2	nust promptly refer to the DOJ agent, subrecipient, contractor, itted a claim that violates the Fa d, conflict of interest, bribery, g to funds under this award shou S. Department of Justice, Inves 0530; (2) e-mail to: oig.hotline	subcontractor, or other alse Claims Act; or (2) ratuity, or similar ald be reported to the tigations Division, @usdoj.gov; and/or (3)
	Additio	onal information is available from the DC	DJ OIG website at	https://www.usdoj.gov/oig.	

C C C C C C C C C C C C C C C C C C C	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 8 OF 22
PROJECT NUI	MBER 2017-DJ-BX-0061	AWARD DATE 06/26/2018	
	SPECIAL	CONDITIONS	
22.	Restrictions and certifications regarding non-dis	sclosure agreements and related matters	
	subcontract with any funds under this award, ma agreement or statement that prohibits or otherwi accordance with law) of waste, fraud, or abuse to department or agency authorized to receive such The foregoing is not intended, and shall not be u requirements applicable to Standard Form 312 (er this award, or entity that receives a procurement ay require any employee or contractor to sign an ise restricts, or purports to prohibit or restrict, the o an investigative or law enforcement represent a information. Inderstood by the agency making this award, to c which relates to classified information), Form 44 ther form issued by a federal department or agence	internal confidentiality reporting (in tive of a federal contravene 14 (which relates to
	 In accepting this award, the recipient 	and form issued by a rederal department of agent	
	a. represents that it neither requires nor has requ	uired internal confidentiality agreements or stater se currently restrict (or purport to prohibit or restr e as described above; and	
	agreements or statements that prohibit or otherw or abuse as described above, it will immediately	is or has been requiring its employees or contract vise restrict (or purport to prohibit or restrict), rep v stop any further obligations of award funds, will g this award, and will resume (or permit resumpt b by that agency.	orting of waste, fraud, l provide prompt
	2. If the recipient does or is authorized under th both	is award to make subawards ("subgrants"), procu	irement contracts, or
	a. it represents that		
	(whether through a subaward ("subgrant"), proceeding requires or has required internal confidentiality a	e recipient's application proposes may or will rec urement contract, or subcontract under a procure agreements or statements from employees or con ort to prohibit or restrict) employees or contractor	ment contract) either tractors that currently
	(2) it has made appropriate inquiry, or otherwis	e has an adequate factual basis, to support this re	presentation; and
	under this award is or has been requiring its emp or otherwise restrict (or purport to prohibit or re- immediately stop any further obligations of awa	any subrecipient, contractor, or subcontractor entroployees or contractors to execute agreements or s strict), reporting of waste, fraud, or abuse as descurd funds to or by that entity, will provide prompt resume (or permit resumption of) such obligation	tatements that prohibit cribed above, it will written notification to

STRENT OF T	States	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 9 OF 22
PROJECT NU	JMBER	2017-DJ-BX-0061	AWARD DATE	06/26/2018	
		SPECIAL	CONDITIONS		
23.	Compl	iance with 41 U.S.C. 4712 (including pro		isal; notice to employees)	
	U.S.C. employ gross v health The rea	cipient (and any subrecipient at any tier) 4712, including all applicable provisions yee as reprisal for the employee's disclose waste of federal funds, an abuse of author or safety, or a violation of law, rule, or re cipient also must inform its employees, in	s that prohibit, un ure of information ity relating to a fe gulation related t n writing (and in t	der specified circumstances, dise a related to gross mismanagement ederal grant, a substantial and sp o a federal grant.	crimination against an nt of a federal grant, a ecific danger to public
	Should	yee rights and remedies under 41 U.S.C. 4 I a question arise as to the applicability of t the DOJ awarding agency (OJP or OVW	f the provisions o		he recipient is to
24.	Encou	ragement of policies to ban text messagin	g while driving		
	51225 bannin award,	nt to Executive Order 13513, "Federal Le (October 1, 2009), DOJ encourages recip g employees from text messaging while o and to establish workplace safety policies s caused by distracted drivers.	bients and subreci driving any vehic	pients ("subgrantees") to adopt a le during the course of performin	and enforce policies ng work funded by this
25.	Coope	rating with OJP Monitoring			
	proced Officer recipie docum deadlin result i restrict	cipient agrees to cooperate with OJP mor- ures, and to cooperate with OJP (includir r (OCFO)) requests related to such monite nt agrees to provide to OJP all document entation related to any subawards made un hes set by OJP for providing the requested n actions that affect the recipient's DOJ at tions on the recipient's access to award fu nt as a DOJ High Risk grantee; or termin	ng the grant mana oring, including r ation necessary founder this award. d documents. Fai wards, including nds; referral to th	ger for this award and the Office equests related to desk reviews a or OJP to complete its monitorin Further, the recipient agrees to lure to cooperate with OJP's mo , but not limited to: withholdings e DOJ OIG for audit review; de	e of Chief Financial and/or site visits. The g tasks, including abide by reasonable nitoring activities may s and/or other
26.	FFAT	A reporting: Subawards and executive co	ompensation		
	more a execut obligat on the	cipient must comply with applicable requ nd, in certain circumstances, to report the ives of the recipient and first-tier subrecip tions, which derive from the Federal Fund OJP web site at https://ojp.gov/funding/E tive Compensation), and are incorporated	e names and total pients (first-tier "s ding Accountabili Explore/FFATA.h	compensation of the five most h subgrantees") of award funds. T ity and Transparency Act of 200 tm (Award condition: Reporting	highly compensated The details of recipient 6 (FFATA), are posted
	award	ondition, including its reporting requirem made to an individual who received the a zation that he or she may own or operate	ward as a natural	person (i.e., unrelated to any bu	

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	SPECIAL	CONDITIONS	
27.	Use of program income		
		form Requirements) must be used in accordance ncome earnings and expenditures both must be re	
28.	Justice Information Sharing		
	public safety community, the recipient (and any Information Sharing Initiative (DOJ's Global) g shall conform to the Global Standards Package https://it.ojp.gov/gsp_grantcondition. The recipi	able interoperability among disparate systems across subrecipient at any tier) must comply with DOJ uidelines and recommendations for this particular (GSP) and all constituent elements, where applica- tent shall document planned approaches to inform e privacy policy that protects shared information, recommended.	s Global Justice award. The recipient able, as described at: ation sharing and
29.	Avoidance of duplication of networks		
	sharing systems which involve interstate connect possible, existing networks as the communication	stems in any initiatives funded by BJA for law en ctivity between jurisdictions, such systems shall e on backbone to achieve interstate connectivity, un requirement would not be cost effective or would em.	mploy, to the extent less the recipient can
30.	Compliance with 28 C.F.R. Part 23		
	any subrecipient at any tier) must comply with 2 OJP determines this regulation to be applicable. its discretion, perform audits of the system, as p	tem funded or supported by funds under this awar 28 C.F.R. Part 23, Criminal Intelligence Systems Should OJP determine 28 C.F.R. Part 23 to be ap er the regulation. Should any violation of 28 C.F. c)-(d). The recipient may not satisfy such a fine w	Operating Policies, if oplicable, OJP may, at R. Part 23 occur, the
31.	Protection of human research subjects		
		must comply with the requirements of 28 C.F.R. In of human research subjects, including obtainment ject informed consent.	
32.	Confidentiality of data		
	and 28 C.F.R. Part 22 that are applicable to colle	must comply with all confidentiality requirements ection, use, and revelation of data or information. mit a Privacy Certificate that is in accord with rec 3.	The recipient further

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33.	Verification and updating of recipient contact i The recipient must verify its Point of Contact(R Representative contact information in GMS, in	<i>L CONDITIONS</i> information POC), Financial Point of Contact (FPOC), and A including telephone number and e-mail address. Notice (GAN) must be submitted via the Grants	If any information is
34.	Law enforcement task forces - required training Within 120 days of award acceptance, each cur who is a task force commander, agency execut must complete required online (internet-based) complete this training once during the period o awards include this requirement. The required training is available free of charge Leadership (www.ctfli.org). The training addree privacy and civil liberties/rights, task force per accountability. If award funds are used to supp personnel roster, along with course completion	rrent member of a law enforcement task force fucive, task force officer, or other task force memb) task force training. Additionally, all future task of performance for this award, or once every fou e online through the BJA-funded Center for Tas esses task force effectiveness, as well as other ke formance measurement, personnel selection, an port a task force, the recipient must compile and	er of equivalent rank, a force members must r years if multiple OJP ek Force Integrity and ey issues including d task force oversight and maintain a task force
35.	Required attendance at BJA-sponsored events The recipient (and its subrecipients at any tier) events, or conferences held by BJA or its desig	must participate in BJA-sponsored training eve gnees, upon BJA's request.	nts, technical assistance
36.		oval of any consultant rate in excess of \$650 per d by the OJP program office prior to obligation	

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STREAT OF OF	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 12 OF 22
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	SPECIAL	CONDITIONS	
37.	Compliance with National Environmental Policy	y Act and related statutes	
	Environmental Policy Act (NEPA), the National impact analyses requirements in the use of these Accordingly, the recipient agrees to first determ to obligating funds for any of these purposes. If the award, the recipient agrees to contact BJA. The recipient understands that this condition app specifically funded with these award funds. Tha	It at any tier) must assist BJA in complying with Historic Preservation Act, and other related feder award funds, either directly by the recipient or b ine if any of the following activities will be funder it is determined that any of the following activities plies to new activities as set out below, whether of t is, as long as the activity is being conducted by needs to be undertaken in order to use these awar condition are:	eral environmental by a subrecipient. ed by the grant, prior es will be funded by or not they are being the recipient, a
	a. New construction;		
		v located in an environmentally or historically sen a wetland, or habitat for endangered species, or a istoric Places;	
	c. A renovation, lease, or any proposed use of a prior use or (b) significantly change its size;	building or facility that will either (a) result in a c	change in its basic
		he use of chemicals other than chemicals that are b) traditionally used, for example, in office, house	
	e. Implementation of a program relating to clance identification, seizure, or closure of clandestine	lestine methamphetamine laboratory operations, i methamphetamine laboratories.	including the
	Assessment and/or an Environmental Impact Sta	lying with NEPA may require the preparation of a atement, as directed by BJA. The recipient further f a Mitigation Plan, as detailed at https://bja.gov/ ry operations.	r understands and
	subrecipients' existing programs or activities that	isting Programs or Activities: For any of the reci at will be funded by these award funds, the recipies a in any preparation by BJA of a national or progr	ent, upon specific
38.	Establishment of trust fund		
	required to establish a trust fund account. (The t including any interest, may not be used to pay d Edward Byrne Memorial Justice Assistance Gra funds in the trust fund (including any interest ea	e, the recipient (or a subrecipient, with respect to rust fund may or may not be an interest-bearing a ebts or expenses incurred by other activities beyon nt Program (JAG). The recipient also agrees to of rned) during the period of performance for the av nexpended funds, including interest earned, must	account.) The fund, ond the scope of the bligate the award ward and expend

Contraction of the second seco	A TONICAL AND A	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 13 OF 22
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		SPECIAL	CONDITIONS	
39.	Prohib	ition on use of award funds for match unc	ler BVP program	
		ands may be used to purchase vests for an ulletproof Vest Partnership (BVP) progra	agency, but they may not be used as the 50% num.	natch for purposes of the
40.	Certifi	cation of body armor "mandatory wear" p	policies	
	with fu certific resista this aw	ands from this award have a written "man cations on file for any subrecipients plann nt body armor purchases. This policy mus	tion that all law enforcement agencies receiving datory wear" policy in effect. The recipient mu- ing to utilize funds from this award for ballistic st be in place for at least all uniformed officers urmor. There are no requirements regarding the uniformed officers while on duty.	st keep signed e-resistant and stab- before any funds from
41.	Body a	armor - compliance with NIJ standards		
	level, r comply Armor Ameri	nake or model, from any distributor or may with applicable National Institute of Jus Model List (https://nij.gov/). In addition,	purchased with JAG award funds may be purchased with JAG award funds may be purchanufacturer, as long as the body armor has been tice ballistic or stab standards and is listed on the ballistic-resistant and stab-resistant body armor ation can be found here: https://nij.gov/topics/t	n tested and found to he NIJ Compliant Body or purchased must be
42.	Requi	ed monitoring of subawards		
	award subaw specifi	conditions, and the DOJ Grants Financial ard. Among other things, the recipient is r c outcomes and benefits attributable to us	s JAG award in accordance with all applicable Guide, and must include the applicable condit responsible for oversight of subrecipient spendi te of award funds by subrecipients. The recipien dures for monitoring of subawards under this a	ions of this award in any ng and monitoring of nt agrees to submit, upon
43.	Report	ing requirements		
	OJP's Perfor measu Perfor reporti	GMS (https://grants.ojp.usdoj.gov). Consi mance and Results Act (GPRA) and the G re the results of its work. The recipient m mance Measurement Tool (PMT) website ng and other JAG requirements, refer to t	ancial Reports (SF-425) and semi-annual perfo istent with the Department's responsibilities und GPRA Modernization Act of 2010, the recipient submit quarterly performance metrics repor- (www.bjaperformancetools.org). For more det he JAG reporting requirements webpage. Failu	der the Government must provide data that rts through BJA's ailed information on re to submit required
44.	Requi	ed data on law enforcement agency traini	ng	
	Any la			

STATENTORY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 14 OF 22
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	SPECIAL	CONDITIONS	
45.	Prohibited Expenditures List		
		listed on the Prohibited Expenditure List at the ti ed from time to time. The Prohibited Expenditure ledPurchaseList.pdf	
46.	Controlled expenditures - prior written approval	l required	
	acquisition, including as the list may be amende	listed on the Controlled Expenditure List at the ti ed from time to time, without explicit written prio ns on how to request approval for purchase or acc rchaseList.pdf	r approval from BJA.
47.	Controlled expenditures - incident reporting		
	purchase or acquisition, including as the list ma at least 3 years) certain information about the us agency's inventory, and (2) any other controlled equipment in the agency's inventory, regardless	quire any item on the Controlled Expenditure Lis y be amended from time to time, the agency must se of (1) any federally-acquired Controlled Equi equipment in the same category as the federally- of source; and the agency must make that inform ust be collected and retained are set out at https://	collect and retain (for pment in the acquired controlled ation available to BJA
48.	Sale of items on Controlled Expenditure List		
		Uniform Requirements set out at 2 C.F.R. 200.313 ased with award funds may be transferred or sold	
	Agency (LEA) after obtaining prior written app	equipment, except riot helmets and riot shields, to roval from BJA. As a condition of that approval, ions to BJA as if it were requesting approval to us enditure List.	the acquiring LEA will
	b. Agencies may not transfer or sell any riot he	lmets or riot shields purchased under this award.	
	exception of fixed wing aircraft, rotary wing air sale is finalized, the agency must obtain prior w	elled Equipment purchased under this award to no craft, and command and control vehicles. Before ritten approval from BJA. All law enforcement-re and all law enforcement insignias and identifying	any such transfer or elated and other
	The recipient must notify BJA prior to the dispo award funds, and must abide by any applicable	osal of any items on the Controlled Expenditure L laws (including regulations) in such disposal.	ist purchased with
49.	Prohibited or controlled expenditures - Effect of	f failure to comply	
	Failure to comply with an award condition relat further approvals of controlled expenditures und	ed to prohibited or controlled expenditures may r der this or other federal awards.	esult in denial of any

AND THE REAL PROPERTY OF THE R	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 15 OF 22
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	SPECIAL	CONDITIONS	
Con equi Star Con Con (b) S Con	ipment with award funds must adopt robust a indards and Specific Controlled Equipment St inmunity Policing; (b) Constitutional Policing trolled Equipment Standards includes policies Supervision of Use; (c) Effectiveness Evalua	we Order 13688, a law enforcement agency that and specific written policies and protocols gove candards. General Policing Standards includes p g; and (c) Community Input and Impact Consid es specifically related to (a) Appropriate Use of tion; (d) Auditing and Accountability; and (e) ' nt must provide a copy of the General Policing of d policies and protocols.	erning General Policing policies on (a) erations. Specific f Controlled Equipment; Transparency and Notice
The the proj min rem prec	recipient may obligate (federal) award funds first day of the period of performance for the ect costs using non-federal funds, but any su imum (1) the recipient makes a valid accep oved by OJP (via a Grant Adjustment Notice	to reimburse certain project costs incurred on o s only after the recipient makes a valid acceptar a ward (October 1, 2016), however, the recipient ch project costs are incurred at the recipient's r otance of the award, and (2) all applicable with be). (A withholding condition is a condition in the ng, or drawing down all or a portion of the award	nce of the award. As of nt may choose to incur isk until, at a holding conditions are he award document that
risk con itsel awa	" if and when the recipient makes a valid acc dition through a Grant Adjustment Notice, th f for project costs incurred "at-risk" earlier d	tion expressly precludes reimbursement of proj ceptance of this award and OJP removes each a be recipient is authorized to obligate (federal) ar luring the period of performance (such as proje ticable withholding condition), provided that the	pplicable withholding ward funds to reimburse ct costs incurred prior to
func the	ls to "supplant" State or local funds in violati	authorize the recipient (or any subrecipient at a ion of the recipient's certification (executed by will be used to increase the amounts of such fu aw enforcement activities.	the chief executive of
52. "Ce	rtification of Compliance with 8 U.S.C. 1373	3" required for valid award acceptance by a "St	ate"
with sub	a 8 U.S.C. 1373" (executed by the chief legal mitted to OJP together with the fully-execute the signed award document is submitted to O	ctive recipient must submit the required "Certified officer of the State). Unless that executed certed award document, or (2) is uploaded in OJP's DJP, any submission by a State that purports to	tification either (1) is GMS no later than the
cert		recipient is invalid, once the State does submit nay submit a fully-executed award document e	

S OF CONTRACTOR OF	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 16 OF 22
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	SPECIAL	CONDITIONS	
53.	Ongoing compliance with 8 U.S.C. 1373 is req	uired	
	activity" of any subrecipient at any tier), throug government entity, -agency, or -official may pr from sending or receiving information regardin (2) a government entity or -agency from sendin regarding immigration status as described in 8 restriction) that violates this condition is an "im 2. Certifications from subrecipients. The recipi "public" institution of higher education, unless executed by the chief legal officer of the jurisdi appropriate form available at https://ojp.gov/fur recipient must require that no subrecipient (at a "public" institution of higher education, unless	ded in whole or part under this award (including a shout the period of performance for the award, no is ohibit or in any way restrict (1) any government g citizenship or immigration status as described in ag, requesting or receiving, maintaining, or exchan U.S.C. 1373(b). For purposes of this award, any p formation-communication restriction."	State or local entity or -official a 8 U.S.C. 1373(a); or ging information orohibition (or overnment or a b U.S.C. 1373, properly rd, using the tm. Similarly, the r local government or a b U.S.C. 1373, properly
	3. The recipient's monitoring responsibilities in this condition.	clude monitoring of subrecipient compliance with	the requirements of
	extent that such costs are not reimbursed under authorized reimbursements) for the reasonable,	uirements is an authorized and priority purpose of any other federal program, award funds may be of necessary, and allocable costs (if any) that the rec overnment or a "public" institution of higher educa	bligated (including for pipient, or any
	5. Rules of Construction		
	A. For purposes of this condition:		
	(1) "State" and "local government" include any education or any Indian tribe.	agency or other entity thereof, but not any institut	ion of higher
	(2) A "public" institution of higher education is government.	one that is owned, controlled, or directly funded l	by a State or local
	(3) "Program or activity" means what it means	under title VI of the Civil Rights Act of 1964 (see	42 U.S.C. 2000d-4a).
	Immigrant Responsibility Act of 1996); and ter	For purposes of 8 U.S.C. 1373 (Illegal Immigration ms that are defined in 8 U.S.C. 1101 (Immigration except that the term "State" also shall include Ame	n and Nationality Act)
		renced in) 8 U.S.C. 1551 note ("Abolition and d Naturalization Service" in 8 U.S.C. 1373 are to b omeland Security (DHS).	
		d to authorize or require any recipient, any subreci ion of higher education, or any other entity (or ind as or nondiscrimination law.	

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		SPECIAL	CONDITIONS				
			meaning or scope of this condition should be	directed to OJP, before			
54.	Author	rity to obligate award funds contingent on	compliance with 8 U.S.C. 1373; unallowable	costs; obligation to notify			
	1. If the	he recipient is a State or local government	t				
	recipie	ent (or of any subrecipient at any tier that i education) that is funded in whole or in p	if, at the time of the obligation, the "program of is a either a State or unit of local government of part with award funds is subject to any "inform	r a "public" institution of			
	B. In addition, with respect to any project costs it incurs "at risk," the recipient may not obligate award funds to reimburse itself if at the time it incurs such costs the "program or activity" of the recipient (or of any subrecipient at any tier that is a either a State or unit of local government or a "public" institution of higher education) that would be reimbursed in whole or in part with award funds was subject to any "information-communication restriction."						
	C. Any drawdown of award funds by the recipient shall be considered, for all purposes, to be a material representation by the recipient to OJP that, as of the date the recipient requests the drawdown, the recipient and all subrecipients (regardless of tier) are in compliance with 8 U.S.C. 1373.						
	with a recipie educat subrec promp	ward conditions or otherwise, has credible ent, or of any subrecipient at any tier that i ion, may be subject to any "information-c ipient that is either a State or a local gove	writing) if the recipient, from its requisite mon e evidence that indicates that the funded "progr is either a State or a local government or a "pul- communication restriction." In addition, any su rnment or a "public" institution of higher educ ubaward, should the subrecipient such credible	am or activity" of the olic" institution of higher baward (at any tier) to a ation must require			
	higher "progr	education must provide that the subrecipi	that is either a State or a local government or a ient may not obligate award funds if, at the tim any further such subrecipient at any tier) that is ition-communication restriction."	e of the obligation, the			
	circum transite funds such d monite	istances (e.g., a small amount of award fu ory non-compliance, which was unknown that, under this condition, may not be made etermination, DOJ will give great weight	DOJ to the contrary, based upon a finding by D nds obligated by the recipient at the time of a s to the recipient despite diligent monitoring), a de shall be unallowable costs for purposes of th to evidence submitted by the recipient that der requirements set out in the award condition en	subrecipient's minor and ny obligations of award is award. In making any nonstrates diligent			
	4. Rul	es of Construction					
		r purposes of this condition "information- ion entitled "Ongoing compliance with 8	communication restriction" has the meaning so	et out in the award			
	B. Bo	ion entitled Ongoing comphanee with o					

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	SPECIAL	CONDITIONS		
55. Requir	red State-level rules or practices related to	o aliens; allowable o	costs	
	llowing provisions apply to the recipient ate-government subrecipient at any tier (v			
1. Req	uirements			
	respect to the "program or activity" that is s this award, and throughout the remainded			he date the recipient
agents correc	State statute, or a State rule, -regulation, -j of the United States acting under color o tional facility for the purpose of permittin to be) aliens and to inquire as to such inc	of federal law in factors for the federal law in factors for t	t are given to access any State (eet with individuals who are (c	(or State-contracted) or are believed by such
when a Immig in sucl	State statute, or a State rule, -regulation, -p a State (or State-contracted) correctional f gration and Nationality Act that seeks adv h facility, then such facility will honor suc ion) provide the requested notice to DF	facility receives fro ance notice of the s ch request and as	m DHS a formal written reque cheduled release date and time	st authorized by the for a particular alien
2. Moi	nitoring			
The re condit	cipient's monitoring responsibilities inclu ion.	de monitoring of su	ubrecipient compliance with th	e requirements of this
3. Allo	owable costs			
are no reimbu statute	liance with these requirements is an author t reimbursed under any other federal prog ursements) for the reasonable, necessary, es, rules, regulations, policies, and practice .A. above, and (3) honoring any request	gram, award funds r and allocable costs es to satisfy this co	nay be obligated (including for (if any) of (1) developing an ndition, and (2) permitting acco	authorized d putting into place ess as described in
4. Rul	es of construction			
A. For	purposes of this condition			
(1) the 1101(a	e term "alien" means what it means under a)(3)).	section 101 of the 1	Immigration and Nationality A	ct (see 8 U.S.C.
	e term "correctional facility" means what s Act of 1968 (see 42 U.S.C. 3791(a)(7)).		Title I of the Omnibus Crime C	Control and Safe
State of	thing in this condition shall be understood or local government, or any other entity of nd time the individual would have been re	r individual to mair	itain (or detain) any individual	
hours,	nt DHS practice is ordinarily to request ac if possible)." (See DHS Form I-247A (3/	(17)). In the event th		IS made such request)

CONTRACTOR OF THE SECOND	BULLY SULVEY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 19 OF 22
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PROJECT NU	NOTE advanc schedu C. Bot compli Requir The fo apply t govern 1. Rec With r accept: A. A 1 policy, federal purpos inquire B. A 1 policy, contrad Nation then su para. 4 2. Mo The rec conditi 3. Allo	SPECIAL : Current DHS practice is to use one form the notice of scheduled release, and to required release. This condition imposes NO related release. This condition imposes NO related to any local-government-level rules or practice llowing provisions apply to the recipient of the ment). quirements espect to the "program or activity" that is s this award, and throughout the remainder local ordinance, -rule, -regulation, -policy or -practice) must be in place that is desited as to such individuals' right to be or remover of permitting such agents to meet with it espect to the such advance notice of the the set of the set	CONDITIONS a (DHS Form I-247A (3/17)) for two distinct pur test that an individual be detained for up to 48 ho equirements as to such DHS requests for detenti- aportant Note" set out in the award condition ent incorporated by reference as though set forth her ces related to aliens; allowable costs of this award, if the recipient is a unit of local go his award at any tier (whether or not the recipien funded (in whole or in part) by this award, as of er of the period of performance for the award , or -practice (or an applicable State statute, -rule gned to ensure that agents of the United States a rnment (or local-government-contracted) correct individuals who are (or are believed by such age ain in the United States. , or -practice (or an applicable State statute, -rule gned to ensure that, when a local-government (or DHS a formal written request authorized by the In scheduled release date and time for a particular as early as practicable (see "Rules of Constructi	burs AFTER the on. itled "Ongoing re in full. wernment, and also t itself is a unit of local t the date the recipient the date the recipient e, -regulation, - cting under color of ional facility for the nts to be) aliens and to e, -regulation, - r local-government- nmigration and alien in such facility, on" incorporated by
	are not reimbu statute describ 4. Rul A. The	reimbursed under any other federal prog ursements) for the reasonable, necessary, a s, ordinances, rules, regulations, policies, bed in para. 1.A. above, and (3) honoring es of construction e "Rules of Construction" and the "Impor	ram, award funds may be obligated (including for and allocable costs (if any) of (1) developing a and practices to satisfy this condition, (2) permi any request from DHS that is encompassed by p tant Note" set out in the award condition entitled	or authorized nd putting into place tting access as ara. 1.B. above.
	B. The		l by reference as though set forth here in full. ward condition entitled "Required State-level rul eference as though set forth here in full.	es or practices related

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	SPECIAL	CONDITIONS	
57.	Use of funds for DNA testing; upload of DNA	profiles	
		lentiary materials, any resulting eligible DNA pro " the DNA database operated by the FBI) by a go	
	No profiles generated under this award may be prior express written approval from BJA.	entered or uploaded into any non-governmental I	DNA database without
	Award funds may not be used for the purchase of be accepted for entry into CODIS.	of DNA equipment and supplies unless the result	ing DNA profiles may
58.	Encouragement of submission of "success storie	es"	
	story, sign in to a My BJA account at https://ww the recipient does not yet have a My BJA account one of the available areas on the My BJA page	t annual (or more frequent) JAG success stories. vw.bja.gov/Login.aspx to access the Success Stor unt, please register at https://www.bja.gov/profile. will be "My Success Stories." Within this box, th by BJA, all success stories will appear on the BJA uspx.	ry Submission form. If aspx. Once registered, ere is an option to add
59.	"Methods of Administration" - monitoring com	pliance with civil rights laws and nondiscriminati	ion provisions
	rights laws and nondiscrimination provisions. V submit to OJP's Office for Civil Rights (at Civil for subrecipient monitoring with respect to civil	de monitoring of subrecipient compliance with a Within 90 days of the date of award acceptance, t RightsMOA@usdoj.gov) written Methods of Ad rights requirements. In addition, upon request b nake associated documentation available for revie	he recipient must ministration ("MOA") y OJP (or by another
	https://ojp.gov/funding/Explore/StateMethodsA	to Methods of Administration are posted on the d dmin-FY2017update.htm (Award condition: "Metates (FY 2017 Update)), and are incorporated by	ethods of
60.	Requirement to disclose whether recipient is dea	signated "high risk" by a federal grant-making ag	ency outside of DOJ
	during the course of the period of performance of information to OJP by email at OJP.Compliance includes any status under which a federal award performance, or other programmatic or financia the following: 1. The federal awarding agency t was designated high risk, 3. The high-risk point	deral grant-making agency outside of DOJ, current under this award, the recipient must disclose that eReporting@ojp.usdoj.gov. For purposes of this ling agency provides additional oversight due to the concerns with the recipient. The recipient's disc hat currently designates the recipient high risk, 2 of contact at that federal awarding agency (name risk status, as set out by the federal awarding agency	fact and certain related disclosure, high risk the recipient's past losure must include . The date the recipient e, phone number, and

S CONTINUENT OFFICE	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 21 OF 22
PROJECT NU	MBER 2017-DJ-BX-0061	AWARD DATE 06/26/2018	
	SPECIAL	CONDITIONS	
61.	Reclassification of various statutory provisions	to a new Title 34 of the United States Code	
	reclassified to a new Title 34, entitled "Crime C number of statutory provisions pertinent to OJP many provisions previously codified in Title 42 Effective as of September 1, 2017, any reference reclassified to the new Title 34 of the U.S. Code Title 34. This rule of construction specifically	ions previously codified elsewhere in the U.S. Co Control and Law Enforcement." The reclassification awards (that is, OJP grants and cooperative agree 2 of the U.S. Code. we in this award document to a statutory provision e is to be read as a reference to that statutory provision includes references set out in award conditions, re- ard conditions, and references set out in other award	that has been ision as reclassified to ferences set out in
62.	SORNA final agency decision - Appeals		
	implement the Sex Offender Registration and N and understands that, as a result of that final age 42 U.S.C. 16925. By accepting this specific aw	ecision made by DOJ that recipient's jurisdiction d Notification Act (Public Law 109-248, "SORNA") ency decision, the amount of this JAG award was vard, the recipient voluntarily agrees that if it elect integral in determining this particular funding am ate of acceptance of this award.	before the deadline, reduced, pursuant to s to file a judicial
63.	Withholding of funds: Certification with respec	ct to federal taxes	
	manager, in a format acceptable to OJP, a form authority to sign on behalf of the recipient, that tax years immediately preceding the tax year in offense under the Internal Revenue Code of 198 notified of any unpaid federal tax assessment for subject of an installment agreement or offer in o	v down any funds under this award until it has sub al written certification directed to OJP and execute the recipient (1) has filed all Federal tax returns which the certification is made; (2) has not been a 86; and (3) has not, more than 90 days prior to this or which the liability remains unsatisfied, unless th compromise that has been approved by the Interna- t of a non-frivolous administrative or judicial proc- ed to remove this condition.	ed by an official with required for the three convicted of a criminal s certification, been he assessment is the l Revenue Service and
	The certification must be dated, and must indicate the recipient.	ate the full name and title of the signer, as well as	the full legal name of
64.	Recipient integrity and performance matters: R administrative proceedings to SAM and FAPIIS	Requirement to report information on certain civil, S	criminal, and
	criminal, and administrative proceedings conne any other grant, cooperative agreement, or proc circumstances, recipients of OJP awards are rec	plicable requirements regarding reporting of inform teted with (or connected to the performance of) eit truement contract from the federal government. U quired to report information about such proceeding M"), to the designated federal integrity and perform	her this OJP award or Inder certain gs, through the federal
	criminal, and administrative proceedings to the "FAPIIS") within SAM are posted on the OJP v	he required reporting (and updating) of information federal designated integrity and performance syst web site at https://ojp.gov/funding/FAPIIS.htm (A ncluding Recipient Reporting to FAPIIS), and are	em (currently, ward condition:

STORY OF THE STORY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 22 OF 22
PROJECT NUMBER	2017-DJ-BX-0061	AWARD DATE 06/26/2018	
	SDECIAL	CONDITIONS	

SPECIAL CONDITIONS

65. Withholding of funds: Required certification from the chief executive of the applicant government

The recipient may not obligate, expend, or draw down any award funds until the recipient submits the required "Certifications and Assurances by the Chief Executive of the Applicant Government," properly-executed (as determined by OJP), and a Grant Adjustment Notice (GAN) has been issued to remove this condition.



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject:Incorporates NEPA Compliance in Further Developmental Stages for New York
State Division of Criminal Justice Services

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

a. New construction;

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

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

d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and

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

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see https://www.bja.gov/Funding/nepa.html.

Please be sure to carefully review the grant conditions on your award document, as it may contain more specific information about environmental compliance.

STATUENT OF TIGS	U.S. Department of Justice Office of Justice Programs	GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY Grant		
	Bureau of Justice Assistance			
POPULATICE PROS				
Whenese .		PROJECT NUMBER		PAGE 1 OF 1
		2017-DJ-BX-0061		FAGE I OF I
	under FY17(BJA - JAG State and JAG Local) Title I c ied at 42 U.S.C. 3750 - 3758); see also 28 U.S.C. 5300		ified at 42 U.S.C.	3711 - 3797ff-5), including
1. STAFF CONTACT (N	ame & telephone number)	2. PROJECT DIRECTOR (Name	, address & teleph	one number)
Ania Dobrzanska (202) 598-7476		Joseph Lostritto Program Manager, Admin Unit Alfred E. Smith Office Building 80 South Swan St. Albany, NY 12210-8001 (518) 485-7662		
3a. TITLE OF THE PRO	GRAM		3b. POMS COE ON REVER	DE (SEE INSTRUCTIONS
4. TITLE OF PROJECT	e Memorial Justice Assistance Grant (JAG) Program -			
5. NAME & ADDRESS	OF GRANTEE	6. NAME & ADRESS OF SUBG	RANTEE	
	sion of Criminal Justice Services e Building 80 South Swan St. 001			
7. PROGRAM PERIOD		8. BUDGET PERIOD		
FROM: 10/	01/2016 TO: 09/30/2020	FROM: 10/01/2016	5 TO: 09	9/30/2020
9. AMOUNT OF AWAR	D	10. DATE OF AWARD		
\$ 8,879,161		06/26/2018		
11. SECOND YEAR'S B	UDGET	12. SECOND YEAR'S BUDGET	' AMOUNT	
13. THIRD YEAR'S BUI	DGET PERIOD	14. THIRD YEAR'S BUDGET A	MOUNT	
15. SUMMARY DESCR	IPTION OF PROJECT (See instruction on reverse)	1		

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following program areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation) and 8) mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.

This State JAG award will be used to support criminal justice initiatives that fall under one or more of the allowable program areas above. Funded programs or

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initiatives may include multijurisdictional drug and gang task forces, crime prevention and domestic violence programs, courts, corrections, treatment, justice information sharing initiatives, or other programs aimed at reducing crime and/or enhancing public/officer safety.

NCA/NCF

Exhibit B

Connecticut Byrne JAG Award Letter



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

June 26, 2018

Secretary Benjamin Barnes Connecticut Office of Policy and Management 450 Capitol Ave MS #52CJP Hartford, CT 06106-1379

Dear Secretary Barnes:

On behalf of Attorney General Jefferson Sessions III, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 17 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - State Solicitation in the amount of \$1,711,049 for Connecticut Office of Policy and Management.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Linda B. Hill-Franklin, Program Manager at (202) 514-0712; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

RZ

Alan R. Hanson Principal Deputy Assistant Attorney General

Enclosures



OFFICE FOR CIVIL RIGHTS

Office of Justice Programs U.S. Department of Justice 810 7th Street, NW Washington, DC 20531

Tel: (202) 307-0690 TTY: (202) 307-2027 E-mail: askOCR@usdoj.gov Website: www.ojp.usdoj.gov/ocr

June 26, 2018

Secretary Benjamin Barnes Connecticut Office of Policy and Management 450 Capitol Ave MS #52CJP Hartford, CT 06106-1379

Dear Secretary Barnes:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at http://ojp.gov/about/ocr/vawafaqs.htm.

Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website http://www.lep.gov.

Ensuring Equal Treatment for Faith-Based Organizations

The DOJ regulation, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Using Arrest and Conviction Records in Making Employment Decisions

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at http://www.ojp.usdoj.gov//about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOPs) (see below).

Complying with the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEOP (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), .205(c)(5)).

Meeting the EEOP Requirement

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at http://www.ojp.usdoj.gov/about/ocr/eeop.htm. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOsubmisson@usdoj.gov.

Meeting the Requirement to Submit Findings of Discrimination

If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

Ensuring the Compliance of Subrecipients

SAAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see http://www.ojp.usdoj.gov/funding/other_requirements.htm.

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,

Minh 2. also

Michael L. Alston Director

cc: Grant Manager Financial Analyst

U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	Grant	PAGE 1 OF 22
1. RECIPIENT NAME AND ADDRESS (Including Zip Code)	4. AWARD NUMBER: 2017-DJ-BX-0072	
Connecticut Office of Policy and Management 450 Capitol Ave MS #52CJP Hartford, CT 06106-1379	5. PROJECT PERIOD: FROM 10/01/2016	TO 09/30/2020 TO 09/30/2020
	6. AWARD DATE 06/26/2018 7.	ACTION
2a. GRANTEE IRS/VENDOR NO. 066000798	8. SUPPLEMENT NUMBER 00	Initial
2b. GRANTEE DUNS NO. 807853015	9. PREVIOUS AWARD AMOUNT	\$ 0
3. PROJECT TITLE 2017 Justice Assistance Formula Grant (JAG)	10. AMOUNT OF THIS AWARD	\$ 1,711,049
	11. TOTAL AWARD	\$ 1,711,049
 THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH C ON THE ATTACHED PAGE(S). 13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY17(BJA - JAG State and JAG Local) Title including subpart 1 of part E (codified at 42 U.S.C. 3750 - 3758); see also 2 14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 	e I of Pub. L. No. 90-351 (generally codified at 42 U.S.C	
16.738 - Edward Byrne Memorial Justice Assistance Grant Program		
15. METHOD OF PAYMENT GPRS AGENCY APPROVAL 16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Alan R. Hanson Principal Deputy Assistant Attorney General	GRANTEE ACCEPTAN 18. TYPED NAME AND TITLE OF AUTHORIZED Benjamin Barnes Secretary	
17. SIGNATURE OF APPROVING OFFICIAL	19. SIGNATURE OF AUTHORIZED RECIPIENT O	OFFICIAL 19A. DATE
AGENCE 20. ACCOUNTING CLASSIFICATION CODES FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT	Y USE ONLY 21. SDJUGT0001	
X B DJ 80 00 00 1711049		

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

CONTRACTOR OF THE SECOND	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 2 OF 22	
PROJECT NUMBER	2017-DJ-BX-0072	AWARD DATE 06/26/2018	1	
SPECIAL CONDITIONS				
1. Requirements of the award; remedies for non-compliance or for materially false statements				
The conditions of this award are material requirements of the award. Compliance with any certifications or assurances submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.				
Failure to comply with any one or more of these award requirements whether a condition set out in full below, a condition incorporated by reference below, or a certification or assurance related to conduct during the award period may result in the Office of Justice Programs ("OJP") taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. The Department of Justice ("DOJ"), including OJP, also may take other legal action as appropriate.				
Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 42 U.S.C. 3795a), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).				
shall held,	Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.			
2. Appl	2. Applicability of Part 200 Uniform Requirements			
and s	The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2017 award from OJP.			
suppl Dece (rega	The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2017 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2017 award.			
	For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at https://ojp.gov/funding/Part200UniformRequirements.htm.			
that r		es from documents or other materials prepared or one way from, the provisions of the Part 200 Unifo ation.		
3. Com	pliance with DOJ Grants Financial Guide			
DOJ	The recipient agrees to comply with the DOJ Grants Financial Guide as posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide" available at https://ojp.gov/financialguide/DOJ/index.htm), including any updated version that may be posted during the period of performance.			

REAL PROPERTY OF THE PROPERTY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 3 OF 22
PROJECT NU	MBER 2017-DJ-BX-0072	AWARD DATE 06/26/2018	
	SPECIAL	CONDITIONS	
4.	Required training for Point of Contact and all F	inancial Points of Contact	
	completed an "OJP financial management and g recipient's acceptance of the award. Successful this condition. In the event that either the POC or an FPOC for FPOC must have successfully completed an "O calendar days after (1) the date of OJP's appro POC), or (2) the date the POC enters informatic completion of such a training on or after Januar A list of OJP trainings that OJP will consider "O purposes of this condition is available at https:/ include a session on grant fraud prevention and The recipient should anticipate that OJP will in	OJP financial management and grant administratic /www.ojp.gov/training/fmts.htm. All trainings that	e date of the 1, 2015, will satisfy ance, the new POC or n training" by 120 e case of a new 7 FPOC). Successful on training" for at satisfy this condition recipient fails to
5.	Requirements related to "de minimis" indirect o	cost rate	
	indirect cost rate described in 2 C.F.R. 200.414 OJP in writing of both its eligibility and its elec	(f), and that elects to use the "de minimis" indirection, and must comply with all associated requirements may be applied only to modified total direct costs	t cost rate, must advise ments in the Part 200
6.	Requirement to report potentially duplicative fu	unding	
	funds during the period of performance for this of those other federal awards have been, are be- identical cost items for which funds are provide awarding agency (OJP or OVW, as appropriate	Is of federal funds, or if the recipient receives any award, the recipient promptly must determine wh ing, or are to be used (in whole or in part) for one ed under this award. If so, the recipient must prom) in writing of the potential duplication, and, if so tion or change-of-project-scope grant adjustment r ing.	ether funds from any or more of the nptly notify the DOJ requested by the DOJ

C C C C C C C C C C C C C C C C C C C	A Street	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 4 OF 22
PROJECT NU	MBER	2017-DJ-BX-0072	AWARD DATE	06/26/2018	
		SPECIAL	CONDITIONS		
7.	Requir	rements related to System for Award Mar	nagement and Uni	versal Identifier Requirements	
	current as well The ree	cipient must comply with applicable required tly accessible at https://www.sam.gov/. T l as maintaining the currency of informatic cipient also must comply with applicable	This includes appl ion in SAM. restrictions on su	icable requirements regarding re bawards ("subgrants") to first-ti-	egistration with SAM, er subrecipients
		ier "subgrantees"), including restrictions ent) the unique entity identifier required for			rovide (to the
	at https	etails of the recipient's obligations related s://ojp.gov/funding/Explore/SAM.htm (A fier Requirements), and are incorporated b	ward condition:	System for Award Management	
		ondition does not apply to an award to an siness or non-profit organization that he			erson (i.e., unrelated to
8.	All sub	pawards ("subgrants") must have specific	federal authoriza	tion	
	authori	cipient, and any subrecipient ("subgranterization of any subaward. This condition istrative requirements OJP considers a act").	applies to agreem	ents that for purposes of feder	al grants
	https://	tails of the requirement for authorization /ojp.gov/funding/Explore/SubawardAuthorization), and are incorpor	orization.htm (Av	vard condition: All subawards (
9.	-	ic post-award approval required to use a 1 \$150,000	noncompetitive ap	pproach in any procurement con	tract that would
	specifi Simpli	cipient, and any subrecipient ("subgrante c advance approval to use a noncompetit fied Acquisition Threshold (currently, \$1 l grants administrative requirements OJ ward).	ive approach in an 50,000). This co	ny procurement contract that wo ndition applies to agreements that	uld exceed the at for purposes of
	an OJF (Awar	etails of the requirement for advance appr P award are posted on the OJP web site at d condition: Specific post-award approva tract would exceed \$150,000)), and are in	https://ojp.gov/fu al required to use	Inding/Explore/Noncompetitivel a noncompetitive approach in a	Procurement.htm

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REAL PROPERTY OF A	A LANDARY CONTRACT OF A	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 5 OF 22
PROJECT NU	JMBER	2017-DJ-BX-0072	AWARD DATE	06/26/2018	
		SPECIAL	CONDITIONS		
10.		ements pertaining to prohibited conduct r athority to terminate award)	elated to trafficki	ng in persons (including reporti	ng requirements and
	require part of	cipient, and any subrecipient ("subgrantee ements to report allegations) pertaining to recipients, subrecipients ("subgrantees"), recipient or of any subrecipient.	prohibited condu	ict related to the trafficking of pe	ersons, whether on the
	OJP w	tails of the recipient's obligations related eb site at https://ojp.gov/funding/Explore/ et by recipients and subrecipients related t ity to terminate award)), and are incorpora	/ProhibitedCondu to trafficking in pe	ct-Trafficking.htm (Award conc ersons (including reporting requ	lition: Prohibited
11.	Compl other e	iance with applicable rules regarding app	roval, planning, a	and reporting of conferences, me	eetings, trainings, and
	policie applica	cipient, and any subrecipient ("subgrantee s, and official DOJ guidance (including s able) governing the use of federal funds fo ing the provision of food and/or beverage	pecific cost limits or expenses relate	s, prior approval and reporting red to conferences (as that term is	equirements, where defined by DOJ),
		nation on the pertinent DOJ definition of c Financial Guide (currently, as section 3.1 ').			
12.	Requir	rement for data on performance and effect	tiveness under the	e award	
	The da solicita	cipient must collect and maintain data that ta must be provided to OJP in the manner ation or other applicable written guidance mance and Results Act (GPRA) and the C	r (including within . Data collection	n the timeframes) specified by C supports compliance with the G	DJP in the program
13.	OJP Ti	raining Guiding Principles			
	deliver	aining or training materials that the recipi rs with OJP award funds must adhere to the ble at https://ojp.gov/funding/ojptrainingg	he OJP Training C	Guiding Principles for Grantees	
14.	Effect	of failure to address audit issues			
	award does no Requir	cipient understands and agrees that the Do funds, or may impose other related requir ot satisfactorily and promptly address out ements (or by the terms of this award), or gations, or reviews of DOJ awards.	rements, if (as det standing issues fr	ermined by the DOJ awarding a om audits required by the Part 2	gency) the recipient 00 Uniform
15.	Potenti	ial imposition of additional requirements			
	(OJP o	cipient agrees to comply with any additio or OVW, as appropriate) during the period or purposes of the DOJ high-risk grantee	l of performance f		

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PROJECT NU	MBER 2017-DJ-BX-0072	AWARD DATE 06/26/2018	<u> </u>
	SPECIAL	CONDITIONS	
16.	Compliance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Par	rt 42
		e") at any tier, must comply with all applicable reacted by the requirements in Subpart E of 28 C.F.R. Part	
17.	Compliance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Par	rt 54
		e") at any tier, must comply with all applicable rea on on the basis of sex in certain "education progra	
18.	Compliance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Par	rt 38
	C.F.R. Part 38, specifically including any applic prospective program beneficiaries. Part 38 of 28	e") at any tier, must comply with all applicable red cable requirements regarding written notice to pro 8 C.F.R., a DOJ regulation, was amended effectiv	gram beneficiaries and we May 4, 2016.
	religion, a religious belief, a refusal to hold a rel Part 38 also sets out rules and requirements that	rules that prohibit specific forms of discrimination ligious belief, or refusal to attend or participate in pertain to recipient and subrecipient ("subgrantee es, as well as rules and requirements that pertain to ganizations.	a religious practice. ") organizations that
	available via the Electronic Code of Federal Reg	ships with Faith-Based and Other Neighborhood gulations (currently accessible at https://www.ecfi 28-Judicial Administration, Chapter 1, Part 38, ur	r.gov/cgi-
19.	Restrictions on "lobbying"		
	subrecipient ("subgrantee") at any tier, either dir modification, or adoption of any law, regulation	nds awarded by OJP may not be used by the recip rectly or indirectly, to support or oppose the enact a, or policy, at any level of government. See 18 U te specifically authorizes certain activities that oth	ment, repeal, S.C. 1913. (There
	subrecipient at any tier, to pay any person to infl Congress, or Congress (or an official or employer cooperative agreement, subgrant, contract, subco	funds awarded by OJP from being used by the rec luence (or attempt to influence) a federal agency, ee of any of them) with respect to the awarding of ontract, or loan, or with respect to actions such as 352. Certain exceptions to this law apply, includin	a Member of f a federal grant or renewing, extending,
		ular use of federal funds by a recipient (or subreci ecipient is to contact OJP for guidance, and may n	

SUMENT OF J	A TRANSPORT	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 7 OF 22
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		SPECIAL	CONDITIONS	
20.	Comp	liance with general appropriations-law rea	strictions on the use of federal funds (FY 2017	7)
	federa provis https:/ Should fall wi	l funds set out in federal appropriations st ions" in the Consolidated Appropriations /ojp.gov/funding/Explore/FY17Appropria d a question arise as to whether a particula	ationsRestrictions.htm, and are incorporated by ar use of federal funds by a recipient (or a sub- estriction, the recipient is to contact OJP for gu	various "general y reference here. recipient) would or might
21.	-	ting potential fraud, waste, and abuse, and		
	The re Gener person comm miscon Potent OIG b 950 Pe	ecipient, and any subrecipients ("subgrant al (OIG) any credible evidence that a prin a has, in connection with funds under this itted a criminal or civil violation of laws nduct. ial fraud, waste, abuse, or misconduct inv y (1) mail directed to: Office of the Insp ennsylvania Avenue, N.W. Room 4706, V	ees") at any tier, must promptly refer to the DG acipal, employee, agent, subrecipient, contracted award (1) submitted a claim that violates the pertaining to fraud, conflict of interest, bribery volving or relating to funds under this award sl pector General, U.S. Department of Justice, In Vashington, DC 20530; (2) e-mail to: oig.hotling nglish and Spanish) at (800) 869-4499 (phone	or, subcontractor, or other e False Claims Act; or (2) y, gratuity, or similar hould be reported to the vestigations Division, ne@usdoj.gov; and/or (3)
	. ,	onal information is available from the DO	DJ OIG website at https://www.usdoj.gov/oig.	

C C C C C C C C C C C C C C C C C C C	STATES STATES	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	OCONTINUATION SHEET Grant	PAGE 8 OF 22
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		SPECIAL	CONDITIONS		
22.	Restrie	ctions and certifications regarding non-di	sclosure agreeme	nts and related matters	
	subcon agreen accord depart The for require sensiti	cipient or subrecipient ("subgrantee") und ntract with any funds under this award, m nent or statement that prohibits or otherw lance with law) of waste, fraud, or abuse ment or agency authorized to receive suc oregoing is not intended, and shall not be ements applicable to Standard Form 312 ve compartmented information), or any of sclosure of classified information.	ay require any en vise restricts, or pu to an investigative h information. understood by the (which relates to o	poloyee or contractor to sign an imports to prohibit or restrict, the e or law enforcement representate agency making this award, to c classified information), Form 44	internal confidentiality reporting (in tive of a federal ontravene 14 (which relates to
	1. In a	accepting this award, the recipient			
	a. rep or con	resents that it neither requires nor has req tractors that currently prohibit or otherwi ctors from reporting waste, fraud, or abus	se currently restri	ct (or purport to prohibit or restr	
	agreer or abu writter	tifies that, if it learns or is notified that it nents or statements that prohibit or othery se as described above, it will immediately n notification to the federal agency makin tions only if expressly authorized to do se	wise restrict (or pu y stop any further ng this award, and	rport to prohibit or restrict), rep obligations of award funds, will	orting of waste, fraud, l provide prompt
	2. If the both	he recipient does or is authorized under the	his award to make	subawards ("subgrants"), procu	irement contracts, or
	a. it re	epresents that			
	(wheth require prohib	has determined that no other entity that there through a subaward ("subgrant"), process or has required internal confidentiality it or otherwise currently restrict (or purpor abuse as described above; and	curement contract agreements or sta	, or subcontract under a procure atements from employees or con	ment contract) either tractors that currently
	(2) it	has made appropriate inquiry, or otherwise	se has an adequate	e factual basis, to support this re	presentation; and
	under or othe immed the fed	ertifies that, if it learns or is notified that this award is or has been requiring its em erwise restrict (or purport to prohibit or re liately stop any further obligations of awa leral agency making this award, and will ized to do so by that agency.	ployees or contra estrict), reporting ard funds to or by	ctors to execute agreements or s of waste, fraud, or abuse as desc that entity, will provide prompt	tatements that prohibit cribed above, it will written notification to

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	SPECIAL	CONDITIONS	
23.	Compliance with 41 U.S.C. 4712 (including pro	hibitions on reprisal; notice to employees)	
	U.S.C. 4712, including all applicable provisions employee as reprisal for the employee's disclosu gross waste of federal funds, an abuse of author health or safety, or a violation of law, rule, or re	must comply with, and is subject to, all applicable s that prohibit, under specified circumstances, disc ure of information related to gross mismanagemer ity relating to a federal grant, a substantial and sp egulation related to a federal grant.	crimination against an at of a federal grant, a ecific danger to public
	employee rights and remedies under 41 U.S.C.		of the workforce), of
	Should a question arise as to the applicability of contact the DOJ awarding agency (OJP or OVW	f the provisions of 41 U.S.C. 4712 to this award, t V, as appropriate) for guidance.	he recipient is to
24.	Encouragement of policies to ban text messagin	g while driving	
	51225 (October 1, 2009), DOJ encourages recip banning employees from text messaging while o	eadership on Reducing Text Messaging While Drive pients and subrecipients ("subgrantees") to adopt a driving any vehicle during the course of performing and conduct education, awareness, and other ou	nd enforce policies ng work funded by this
25.	Cooperating with OJP Monitoring		
	procedures, and to cooperate with OJP (includir Officer (OCFO)) requests related to such monite recipient agrees to provide to OJP all document documentation related to any subawards made u deadlines set by OJP for providing the requested result in actions that affect the recipient's DOJ a	hitoring of this award pursuant to OJP's guidelines ing the grant manager for this award and the Office oring, including requests related to desk reviews a ation necessary for OJP to complete its monitorin under this award. Further, the recipient agrees to a d documents. Failure to cooperate with OJP's mo wards, including, but not limited to: withholdings nds; referral to the DOJ OIG for audit review; des ation of an award(s).	e of Chief Financial and/or site visits. The g tasks, including abide by reasonable nitoring activities may s and/or other
26.	FFATA reporting: Subawards and executive co	ompensation	
	more and, in certain circumstances, to report the executives of the recipient and first-tier subrecip obligations, which derive from the Federal Fund	irements to report first-tier subawards ("subgrants e names and total compensation of the five most h pients (first-tier "subgrantees") of award funds. T ding Accountability and Transparency Act of 2000 Explore/FFATA.htm (Award condition: Reporting by reference here.	ighly compensated he details of recipient 6 (FFATA), are posted
		ent, does not apply to (1) an award of less than s ward as a natural person (i.e., unrelated to any bu in his or her name).	

STATUTORY CONTRACTORY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 10 OF 22
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	SPECIAL	CONDITIONS	
27.	Use of program income		
		iform Requirements) must be used in accordance ncome earnings and expenditures both must be r	
28.	Justice Information Sharing		
	public safety community, the recipient (and any Information Sharing Initiative (DOJ's Global) gu shall conform to the Global Standards Package (https://it.ojp.gov/gsp_grantcondition. The recipi	able interoperability among disparate systems act subrecipient at any tier) must comply with DO uidelines and recommendations for this particula (GSP) and all constituent elements, where applic ient shall document planned approaches to inform e privacy policy that protects shared information, recommended.	J's Global Justice ar award. The recipient cable, as described at: nation sharing and
29.	Avoidance of duplication of networks		
	sharing systems which involve interstate connect possible, existing networks as the communication	stems in any initiatives funded by BJA for law e ctivity between jurisdictions, such systems shall o on backbone to achieve interstate connectivity, u requirement would not be cost effective or would em.	employ, to the extent nless the recipient can
30.	Compliance with 28 C.F.R. Part 23		
	any subrecipient at any tier) must comply with 2 OJP determines this regulation to be applicable. its discretion, perform audits of the system, as p	tem funded or supported by funds under this awa 28 C.F.R. Part 23, Criminal Intelligence Systems Should OJP determine 28 C.F.R. Part 23 to be a per the regulation. Should any violation of 28 C.F. c)-(d). The recipient may not satisfy such a fine	Operating Policies, if applicable, OJP may, at F.R. Part 23 occur, the
31.	Protection of human research subjects		
		must comply with the requirements of 28 C.F.R. n of human research subjects, including obtainment ject informed consent.	
32.	Confidentiality of data		
	and 28 C.F.R. Part 22 that are applicable to colle	must comply with all confidentiality requirement ection, use, and revelation of data or information mit a Privacy Certificate that is in accord with re 23.	. The recipient further

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	SPECIAL	CONDITIONS	
33.	Verification and updating of recipient contact in	formation	
	Representative contact information in GMS, include	DC), Financial Point of Contact (FPOC), and Aut luding telephone number and e-mail address. If a otice (GAN) must be submitted via the Grants M	any information is
34.	Law enforcement task forces - required training		
	who is a task force commander, agency executiv must complete required online (internet-based) t	ent member of a law enforcement task force fund ye, task force officer, or other task force member task force training. Additionally, all future task for performance for this award, or once every four y	of equivalent rank, prce members must
	Leadership (www.ctfli.org). The training address privacy and civil liberties/rights, task force perfor	online through the BJA-funded Center for Task I ses task force effectiveness, as well as other key prmance measurement, personnel selection, and ta rt a task force, the recipient must compile and ma certificates.	issues including ask force oversight and
	Additional information regarding the training is Integrity and Leadership (www.ctfli.org).	available through BJA's web site and the Center	for Task Force
35.	Required attendance at BJA-sponsored events		
	The recipient (and its subrecipients at any tier) n events, or conferences held by BJA or its design	nust participate in BJA-sponsored training events ees, upon BJA's request.	s, technical assistance
36.	Justification of consultant rate		
		al of any consultant rate in excess of \$650 per da by the OJP program office prior to obligation or	

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OP REAL PROPERTY OF REA	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 12 OF 22
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	SPECIAL	CONDITIONS	
37.	Compliance with National Environmental Policy	y Act and related statutes	
	Environmental Policy Act (NEPA), the National impact analyses requirements in the use of these Accordingly, the recipient agrees to first determ to obligating funds for any of these purposes. If the award, the recipient agrees to contact BJA. The recipient understands that this condition app specifically funded with these award funds. Tha	It at any tier) must assist BJA in complying with Historic Preservation Act, and other related fede award funds, either directly by the recipient or b ine if any of the following activities will be funde it is determined that any of the following activities plies to new activities as set out below, whether o t is, as long as the activity is being conducted by needs to be undertaken in order to use these awar condition are:	eral environmental y a subrecipient. ed by the grant, prior es will be funded by r not they are being the recipient, a
	a. New construction;		
		v located in an environmentally or historically sen , a wetland, or habitat for endangered species, or istoric Places;	
	c. A renovation, lease, or any proposed use of a prior use or (b) significantly change its size;	building or facility that will either (a) result in a c	change in its basic
		the use of chemicals other than chemicals that are b) traditionally used, for example, in office, house	
	e. Implementation of a program relating to cland identification, seizure, or closure of clandestine	lestine methamphetamine laboratory operations, i methamphetamine laboratories.	including the
	Assessment and/or an Environmental Impact Sta	lying with NEPA may require the preparation of a atement, as directed by BJA. The recipient further f a Mitigation Plan, as detailed at https://bja.gov/ ry operations.	r understands and
	subrecipients' existing programs or activities that	isting Programs or Activities: For any of the reci at will be funded by these award funds, the recipies a in any preparation by BJA of a national or progr	ent, upon specific
38.	Establishment of trust fund		
	required to establish a trust fund account. (The t including any interest, may not be used to pay d Edward Byrne Memorial Justice Assistance Gra funds in the trust fund (including any interest ea	e, the recipient (or a subrecipient, with respect to rust fund may or may not be an interest-bearing a ebts or expenses incurred by other activities beyon nt Program (JAG). The recipient also agrees to of rned) during the period of performance for the aw nexpended funds, including interest earned, must	account.) The fund, and the scope of the bligate the award ward and expend

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	SF	PECIAL CONDITIONS		
39.	Prohibition on use of award funds for m	atch under BVP program		
	JAG funds may be used to purchase ves DOJ Bulletproof Vest Partnership (BVF		nay not be used as the 50% n	natch for purposes of the
40.	Certification of body armor "mandatory	wear" policies		
	The recipient agrees to submit a signed with funds from this award have a writte certifications on file for any subrecipien resistant body armor purchases. This po this award may be used by an agency fo other than it be a mandatory wear policy	en "mandatory wear" policy its planning to utilize funds licy must be in place for at or body armor. There are no	v in effect. The recipient must from this award for ballistic least all uniformed officers be requirements regarding the	st keep signed -resistant and stab- before any funds from
41.	Body armor - compliance with NIJ stand	dards		
	Ballistic-resistant and stab-resistant bod level, make or model, from any distribu comply with applicable National Institu Armor Model List (https://nij.gov/). In a American-made. The latest NIJ standard armor/pages/safety-initiative.aspx.	tor or manufacturer, as long te of Justice ballistic or stab addition, ballistic-resistant a	g as the body armor has been o standards and is listed on th and stab-resistant body armo	tested and found to ne NIJ Compliant Body r purchased must be
42.	Required monitoring of subawards			
	The recipient must monitor subawards u award conditions, and the DOJ Grants F subaward. Among other things, the recip specific outcomes and benefits attributa request, documentation of its policies ar	inancial Guide, and must in pient is responsible for over ble to use of award funds by	nclude the applicable conditi rsight of subrecipient spending y subrecipients. The recipient	ons of this award in any ng and monitoring of nt agrees to submit, upon
43.	Reporting requirements			
	The recipient must submit quarterly Fed OJP's GMS (https://grants.ojp.usdoj.gov Performance and Results Act (GPRA) a measure the results of its work. The rec Performance Measurement Tool (PMT) reporting and other JAG requirements, n	v). Consistent with the Depa and the GPRA Modernizatio sipient must submit quarterly website (www.bjaperforma	artment's responsibilities und on Act of 2010, the recipient y performance metrics repor ancetools.org). For more det	ler the Government must provide data that rts through BJA's ailed information on re to submit required
	JAG reports by established deadlines m		grant funds and future High	Risk designation.
44.	Required data on law enforcement agen	ay result in the freezing of g		Risk designation.

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	SPECIAL	CONDITIONS	
45.	Prohibited Expenditures List		
		listed on the Prohibited Expenditure List at the ti d from time to time. The Prohibited Expenditure edPurchaseList.pdf	
46.	Controlled expenditures - prior written approval	required	
	acquisition, including as the list may be amende	listed on the Controlled Expenditure List at the ti d from time to time, without explicit written prio ns on how to request approval for purchase or acc rchaseList.pdf	r approval from BJA.
47.	Controlled expenditures - incident reporting		
	purchase or acquisition, including as the list ma at least 3 years) certain information about the us agency's inventory, and (2) any other controlled equipment in the agency's inventory, regardless	quire any item on the Controlled Expenditure Lis y be amended from time to time, the agency must se of (1) any federally-acquired Controlled Equi equipment in the same category as the federally- of source; and the agency must make that inform ust be collected and retained are set out at https://	collect and retain (for pment in the acquired controlled ation available to BJA
48.	Sale of items on Controlled Expenditure List		
		Iniform Requirements set out at 2 C.F.R. 200.313 ased with award funds may be transferred or sold	
	Agency (LEA) after obtaining prior written app	equipment, except riot helmets and riot shields, to roval from BJA. As a condition of that approval, ions to BJA as if it were requesting approval to us inditure List.	the acquiring LEA will
	b. Agencies may not transfer or sell any riot he	lmets or riot shields purchased under this award.	
	exception of fixed wing aircraft, rotary wing air sale is finalized, the agency must obtain prior w	lled Equipment purchased under this award to no craft, and command and control vehicles. Before ritten approval from BJA. All law enforcement-ro and all law enforcement insignias and identifying	any such transfer or elated and other
	The recipient must notify BJA prior to the dispo award funds, and must abide by any applicable	osal of any items on the Controlled Expenditure L laws (including regulations) in such disposal.	ist purchased with
49.	Prohibited or controlled expenditures - Effect of	f failure to comply	
	Failure to comply with an award condition relat further approvals of controlled expenditures unc	ed to prohibited or controlled expenditures may r ler this or other federal awards.	esult in denial of any

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	SPECIAL	L CONDITIONS	
50.	equipment with award funds must adopt robust Standards and Specific Controlled Equipment S Community Policing; (b) Constitutional Policin Controlled Equipment Standards includes polic (b) Supervision of Use; (c) Effectiveness Evalu	tive Order 13688, a law enforcement agency that t and specific written policies and protocols gove Standards. General Policing Standards includes p ng; and (c) Community Input and Impact Consid cies specifically related to (a) Appropriate Use of uation; (d) Auditing and Accountability; and (e) ' ent must provide a copy of the General Policing ted policies and protocols.	erning General Policing policies on (a) erations. Specific f Controlled Equipment; Transparency and Notice
51.	The recipient may obligate (federal) award fun- the first day of the period of performance for th project costs using non-federal funds, but any s minimum (1) the recipient makes a valid acce removed by OJP (via a Grant Adjustment Notic	s to reimburse certain project costs incurred on o ds only after the recipient makes a valid acceptant he award (October 1, 2016), however, the recipient such project costs are incurred at the recipient's r eptance of the award, and (2) all applicable with ce). (A withholding condition is a condition in the ding, or drawing down all or a portion of the award	nce of the award. As of nt may choose to incur isk until, at a holding conditions are he award document that
	risk," if and when the recipient makes a valid a condition through a Grant Adjustment Notice, itself for project costs incurred "at-risk" earlier	dition expressly precludes reimbursement of proj acceptance of this award and OJP removes each a the recipient is authorized to obligate (federal) a during the period of performance (such as proje plicable withholding condition), provided that the	pplicable withholding ward funds to reimburse ct costs incurred prior to
	funds to "supplant" State or local funds in viola	o authorize the recipient (or any subrecipient at a ation of the recipient's certification (executed by ds will be used to increase the amounts of such fur r law enforcement activities.	the chief executive of
52.	"Certification of Compliance with 8 U.S.C. 13"	73" required for valid award acceptance by a "St	ate"
	with 8 U.S.C. 1373" (executed by the chief leg submitted to OJP together with the fully-execu	ective recipient must submit the required "Certif cal officer of the State). Unless that executed cer- ted award document, or (2) is uploaded in OJP's o OJP, any submission by a State that purports to	tification either (1) is GMS no later than the
		ne recipient is invalid, once the State does submit e may submit a fully-executed award document e	

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53. Ongo	SPECIAL bing compliance with 8 U.S.C. 1373 is requ	CONDITIONS ired	
1. Wi activi gover from (2) a regar restri 2. Ce "publ exect appro recip "publ exect	ith respect to the "program or activity" func- ity" of any subrecipient at any tier), through rument entity, -agency, or -official may pro- sending or receiving information regarding government entity or -agency from sending ding immigration status as described in 8 U ction) that violates this condition is an "info- rtifications from subrecipients. The recipie ic" institution of higher education, unless i ited by the chief legal officer of the jurisdic opriate form available at https://ojp.gov/fun- ient must require that no subrecipient (at ar- ic" institution of higher education, unless i	led in whole or part under this award (including a nout the period of performance for the award, no shibit or in any way restrict (1) any government g citizenship or immigration status as described in g, requesting or receiving, maintaining, or exchan J.S.C. 1373(b). For purposes of this award, any p	State or local entity or -official 8 U.S.C. 1373(a); or ging information rohibition (or overnment or a U.S.C. 1373, properly rd, using the m. Similarly, the local government or a U.S.C. 1373, properly
	e recipient's monitoring responsibilities inc ondition.	clude monitoring of subrecipient compliance with	the requirements of
exten autho subre	t that such costs are not reimbursed under a rized reimbursements) for the reasonable, i	irements is an authorized and priority purpose of any other federal program, award funds may be of necessary, and allocable costs (if any) that the rec vernment or a "public" institution of higher educa	bligated (including for ipient, or any
5. Ru	les of Construction		
A. Fo	or purposes of this condition:		
	State" and "local government" include any a ation or any Indian tribe.	agency or other entity thereof, but not any institut	ion of higher
	"public" institution of higher education is ment.	one that is owned, controlled, or directly funded b	by a State or local
(3) "I	Program or activity" means what it means u	under title VI of the Civil Rights Act of 1964 (see	42 U.S.C. 2000d-4a).
Immi mean	grant Responsibility Act of 1996); and terr	or purposes of 8 U.S.C. 1373 (Illegal Immigration ns that are defined in 8 U.S.C. 1101 (Immigration except that the term "State" also shall include Amo	and Nationality Act)
Func		enced in) 8 U.S.C. 1551 note ("Abolition and Naturalization Service" in 8 U.S.C. 1373 are to b meland Security (DHS).	
State		to authorize or require any recipient, any subreci on of higher education, or any other entity (or ind s or nondiscrimination law.	

O CONTRACTOR	A CONTRACT OF A	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 17 OF 22
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54.	award	RTANT NOTE: Any questions about the acceptance.	<i>CONDITIONS</i> e meaning or scope of this condition should be di n compliance with 8 U.S.C. 1373; unallowable co	
	 If the function of the function o	he recipient is a State or local government e recipient may not obligate award funds ent (or of any subrecipient at any tier that education) that is funded in whole or in p tion." addition, with respect to any project costs urse itself if at the time it incurs such co- ipient at any tier that is a either a State or ould be reimbursed in whole or in part wi tion." y drawdown of award funds by the recipi	t if, at the time of the obligation, the "program or is a either a State or unit of local government or part with award funds is subject to any "informat is it incurs "at risk," the recipient may not obligate osts the "program or activity" of the recipient (unit of local government or a "public" institution th award funds was subject to any "information ent shall be considered, for all purposes, to be a ecipient requests the drawdown, the recipient and	activity" of the a "public" institution of ion-communication e award funds to or of any n of higher education) communication material representation
	with av recipie educat subrec promp "inform 2. Any higher "progr	ward conditions or otherwise, has credible ent, or of any subrecipient at any tier that is ion, may be subject to any "information-c ipient that is either a State or a local gove t notification to the entity that made the s mation-communication restriction." y subaward (at any tier) to a subrecipient education must provide that the subrecip	writing) if the recipient, from its requisite monito e evidence that indicates that the funded "program is either a State or a local government or a "public communication restriction." In addition, any suba- ernment or a "public" institution of higher educat ubaward, should the subrecipient such credible e that is either a State or a local government or a " ient may not obligate award funds if, at the time any further such subrecipient at any tier) that is f ation-communication restriction."	m or activity" of the ic" institution of higher award (at any tier) to a ion must require evidence regarding an public" institution of of the obligation, the
	circum transite funds t such d monite compli	astances (e.g., a small amount of award fu ory non-compliance, which was unknown that, under this condition, may not be made etermination, DOJ will give great weight oring of subrecipient compliance with the iance with 8 U.S.C. 1373 is required."	DOJ to the contrary, based upon a finding by DO ands obligated by the recipient at the time of a su a to the recipient despite diligent monitoring), an de shall be unallowable costs for purposes of this to evidence submitted by the recipient that demo requirements set out in the award condition enti	brecipient's minor and y obligations of award s award. In making any onstrates diligent
	A. For condit	ion entitled "Ongoing compliance with 8 th the "Rules of Construction" and the "Ir	-communication restriction" has the meaning set U.S.C. 1373 is required." mportant Note" set out in the award condition en incorporated by reference as though set forth he	titled "Ongoing

STUENT OF	Control of the state	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 18 OF 22
PROJECT NU	JMBER	2017-DJ-BX-0072	AWARD DATE	06/26/2018	
		SPECIAL	CONDITIONS		
55.	Requir	red State-level rules or practices related to	aliens; allowable	costs	
		llowing provisions apply to the recipient of ate-government subrecipient at any tier (v			
	1. Req	uirements			
		espect to the "program or activity" that is s this award, and throughout the remainde			the date the recipient
	agents correct	tate statute, or a State rule, -regulation, -p of the United States acting under color of tional facility for the purpose of permittin to be) aliens and to inquire as to such ind	f federal law in fa g such agents to r	ct are given to access any State neet with individuals who are (o	(or State-contracted) or are believed by such
B. A State statute, or a State rule, -regulation, -policy, or -practice, must be in place that is designed to ensure th when a State (or State-contracted) correctional facility receives from DHS a formal written request authorized by Immigration and Nationality Act that seeks advance notice of the scheduled release date and time for a particula in such facility, then such facility will honor such request and as early as practicable (see para. 4.B. of this condition) provide the requested notice to DHS.				est authorized by the effor a particular alien	
	2. Mor	nitoring			
	The re- conditi	cipient's monitoring responsibilities inclu- ion.	de monitoring of	subrecipient compliance with th	e requirements of this
	3. Allo	owable costs			
	are not reimbu statute	liance with these requirements is an author treimbursed under any other federal prog- ursements) for the reasonable, necessary, a s, rules, regulations, policies, and practice .A. above, and (3) honoring any request f	ram, award funds and allocable cost es to satisfy this co	may be obligated (including fo s (if any) of (1) developing an ondition, and (2) permitting acc	r authorized Id putting into place ess as described in
	4. Rule	es of construction			
	A. For	purposes of this condition			
	(1) the 1101(a	term "alien" means what it means under a)(3)).	section 101 of the	Immigration and Nationality A	act (see 8 U.S.C.
(2) the term "correctional facility" means what it means under the Title I of the Omnibus C Streets Act of 1968 (see 42 U.S.C. 3791(a)(7)).			Title I of the Omnibus Crime O	Control and Safe	
	State o	hing in this condition shall be understood or local government, or any other entity or nd time the individual would have been re	individual to mai	intain (or detain) any individual	
	hours, the sch	at DHS practice is ordinarily to request ad if possible)." (See DHS Form I-247A (3/ neduled release date and time for an alien ot be a violation of this condition to provi	17)). In the event are such as not to	that (e.g., in light of the date DI permit the advance notice that	HS made such request)
OJP FORM 400	00/2 (REV	7. 4-88)			

CONTRACTOR OF	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 19 OF 22
PROJECT N	JMBER 2017-DJ-BX-0072	AWARD DATE 06/26/2018	1
PROJECT N 56.	SPECIA NOTE: Current DHS practice is to use one for advance notice of scheduled release, and to red scheduled release. This condition imposes NO C. Both the "Rules of Construction" and the "I compliance with 8 U.S.C. 1373 is required" ar Required local-government-level rules or prac The following provisions apply to the recipien apply to any local-government subrecipient of government). 1. Requirements With respect to the "program or activity" that is accepts this award, and throughout the remained	L CONDITIONS rm (DHS Form I-247A (3/17)) for two distinct purp quest that an individual be detained for up to 48 ho o requirements as to such DHS requests for detention Important Note" set out in the award condition entitive incorporated by reference as though set forth here trices related to aliens; allowable costs at of this award, if the recipient is a unit of local good this award at any tier (whether or not the recipient is funded (in whole or in part) by this award, as of the der of the period of performance for the award	urs AFTER the n. eled "Ongoing e in full. vernment, and also itself is a unit of local
	 policy, or -practice) must be in place that is defederal law in fact are given access a local-gov purpose of permitting such agents to meet with inquire as to such individuals' right to be or reference of the policy, or -practice) must be in place that is defederated (a contracted) correctional facility receives from Nationality Act that seeks advance notice of the such facility will honor such request and para. 4.B. of this condition) provide the request and para. 4.B. of this condition) provide the request and para. 4.B. of this condition is provide the request and para. 4.B. of the recipient's monitoring responsibilities inclice condition. 3. Allowable costs Compliance with these requirements is an authare not reimbursed under any other federal propreimbursements) for the reasonable, necessary statutes, ordinances, rules, regulations, policies described in para. 1.A. above, and (3) honoring 4. Rules of construction A. The "Rules of Construction" and the "Impowith 8 U.S.C. 1373 is required" are incorporated and the second sec	cy, or -practice (or an applicable State statute, -rule esigned to ensure that, when a local-government (or DHS a formal written request authorized by the Im the scheduled release date and time for a particular a as early as practicable (see "Rules of Construction uested notice to DHS. lude monitoring of subrecipient compliance with the porized and priority purpose of this award. To the or ogram, award funds may be obligated (including for t, and allocable costs (if any) of (1) developing an s, and practices to satisfy this condition, (2) permit g any request from DHS that is encompassed by pa- tortant Note" set out in the award condition entitled ed by reference as though set forth here in full. award condition entitled "Required State-level rule	 the requirements of this extent that such costs r authorized d putting into place ting access as ra. 1.B. above. "Ongoing compliance

OF REAL PROPERTY OF REA	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 20 OF 22
PROJECT N	JMBER 2017-DJ-BX-0072	AWARD DATE 06/26/2018	
	SPECIAL	CONDITIONS	
57.	Use of funds for DNA testing; upload of DNA	profiles	
		lentiary materials, any resulting eligible DNA pro- the DNA database operated by the FBI) by a g	
	No profiles generated under this award may be prior express written approval from BJA.	entered or uploaded into any non-governmental	DNA database without
	Award funds may not be used for the purchase of be accepted for entry into CODIS.	of DNA equipment and supplies unless the result	ting DNA profiles may
58.	Encouragement of submission of "success storie	es"	
	story, sign in to a My BJA account at https://ww the recipient does not yet have a My BJA account one of the available areas on the My BJA page	t annual (or more frequent) JAG success stories. ww.bja.gov/Login.aspx to access the Success Sto int, please register at https://www.bja.gov/profile will be "My Success Stories." Within this box, th by BJA, all success stories will appear on the BJA aspx.	ry Submission form. If e.aspx. Once registered, here is an option to add
59.	"Methods of Administration" - monitoring com	pliance with civil rights laws and nondiscriminat	ion provisions
	rights laws and nondiscrimination provisions. V submit to OJP's Office for Civil Rights (at Civil for subrecipient monitoring with respect to civil	ide monitoring of subrecipient compliance with a Within 90 days of the date of award acceptance, to IRightsMOA@usdoj.gov) written Methods of Ac I rights requirements. In addition, upon request to nake associated documentation available for revi	the recipient must Iministration ("MOA") by OJP (or by another
	https://ojp.gov/funding/Explore/StateMethodsA	to Methods of Administration are posted on the admin-FY2017update.htm (Award condition: "M tates (FY 2017 Update)), and are incorporated by	ethods of
60.	Requirement to disclose whether recipient is deal	signated "high risk" by a federal grant-making ag	gency outside of DOJ
	during the course of the period of performance of information to OJP by email at OJP.Compliance includes any status under which a federal award performance, or other programmatic or financia the following: 1. The federal awarding agency t was designated high risk, 3. The high-risk point	deral grant-making agency outside of DOJ, curre under this award, the recipient must disclose that eReporting@ojp.usdoj.gov. For purposes of this ling agency provides additional oversight due to al concerns with the recipient. The recipient's disc that currently designates the recipient high risk, 2 t of contact at that federal awarding agency (nam trisk status, as set out by the federal awarding agency	fact and certain related disclosure, high risk the recipient's past closure must include 2. The date the recipient e, phone number, and

CONTRACTOR	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance		CONTINUATION SHEET Grant	PAGE 21 OF 22
OJECT N	UMBER 2017-DJ-BX-0072	AWARD DATE	06/26/2018	
	SPECIA	AL CONDITIONS		
61.	Reclassification of various statutory provision	ns to a new Title 34 o	f the United States Code	e
	On September 1, 2017, various statutory prov reclassified to a new Title 34, entitled "Crime number of statutory provisions pertinent to O many provisions previously codified in Title Effective as of September 1, 2017, any refere reclassified to the new Title 34 of the U.S. Co Title 34. This rule of construction specificall material incorporated by reference through as	e Control and Law En DJP awards (that is, OJ 42 of the U.S. Code. ence in this award doc ode is to be read as a ly includes references	forcement." The reclass P grants and cooperativ ument to a statutory pro- reference to that statutor set out in award conditi	sification encompassed a re agreements), including ovision that has been ry provision as reclassified to ions, references set out in
62.	Withholding of funds: Research and evaluati	ion independence and	integrity	
	The recipient may not obligate, expend, or dr for this OJP award information regarding rese detailed instructions in the program solicitation any supplemental information it may request, (including as to amount) that OJP may require actual or apparent personal or financial confli- engaged in the research/evaluation or organiz Grant Adjustment Notice has been issued to r If this award is a "discretionary" award (i.e., r understands and agrees that if it does not pro- submission (as determined by OJP), or if it far submission or required by OJP, this award ma advance written notice by OJP.	earch and evaluation i on, (2) OJP has comp , (3) the recipient has re to prevent, eliminat ict of interest on the p zational conflict of int remove this condition not an award under a vide an adequate resea ails to implement (as c	ndependence and integrated its review of the ir made (or agreed to) any e, mitigate, or otherwise art of the investigators of erest on the part of the r statutory "formula" prop arch and evaluation inde- letermined by OJP) any	rity in accordance with the aformation provided and of adjustments to the award e adequately address any or other staff/consultants recipient entity, and (4) a gram), the recipient ependence and integrity safeguard included in its
63.	Withholding of funds: Budget narrative			
	The recipient may not obligate, expend, or dr reviewed and accepts, the budget narrative fo remove this condition.			
64.	SORNA final agency decision - Appeals			
	The recipient acknowledges the final agency implement the Sex Offender Registration and and understands that, as a result of that final a 42 U.S.C. 16925. By accepting this specific appeal of that final agency decision, which w may commence more than 6 months after the	l Notification Act (Pu agency decision, the a award, the recipient v vas integral in determi	blic Law 109-248, "SOl mount of this JAG awa oluntarily agrees that if ning this particular fund	RNA") before the deadline, rd was reduced, pursuant to it elects to file a judicial
65.	Withholding of funds: Required certification	from the chief execut	ive of the applicant gov	ernment
	The recipient may not obligate, expend, or dr "Certifications and Assurances by the Chief F		undo until the regiminant	submits the required

STUENT OF A	A STATE	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 22 OF 22
PROJECT NU	JMBER	2017-DJ-BX-0072	AWARD DATE 06/26/2018	
PROJECT NU	Recipi admini The re- crimin any oth circum Systen (currer The de crimin "FAPI Recipi	SPECIAL ent integrity and performance matters: R istrative proceedings to SAM and FAPIIS cipient must comply with any and all app al, and administrative proceedings connec- ner grant, cooperative agreement, or proce- istances, recipients of OJP awards are req n for Award Management (known as "SA ntly, "FAPIIS"). etails of recipient obligations regarding th al, and administrative proceedings to the IS") within SAM are posted on the OJP w	CONDITIONS equirement to report information on certain civil	mation on civil, ither this OJP award or Under certain ggs, through the federal ormance system on on certain civil, item (currently, Award condition:



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject:Incorporates NEPA Compliance in Further Developmental Stages for Connecticut
Office of Policy and Management

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

a. New construction;

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

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

d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and

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

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see https://www.bja.gov/Funding/nepa.html.

Please be sure to carefully review the grant conditions on your award document, as it may contain more specific information about environmental compliance.

SUMENT OF THE S	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	GRANT MANAGER'S MEMORANDUM, PT. PROJECT SUMMARY		
a day a gurran and a	Dureau of Justice Assistance	Grant		
Costice		PROJECT NUMBER		
		2017-DJ-BX-0072		PAGE 1 OF 1
	under FY17(BJA - JAG State and JAG Local) Title I ied at 42 U.S.C. 3750 - 3758); see also 28 U.S.C. 530		ied at 42 U.S.C.	3711 - 3797ff-5), including
1. STAFF CONTACT (N	ame & telephone number)	2. PROJECT DIRECTOR (Name, a	address & teleph	ione number)
Linda B. Hill-Franklin (202) 514-0712		Lisa Secondo Program Manager 450 Capitol Ave MS #52CJP Hartford, CT 06106-1379 (860) 418-6391		
3a. TITLE OF THE PRO	GRAM		3b. POMS COL ON REVER	DE (SEE INSTRUCTIONS
4. TITLE OF PROJECT	e Memorial Justice Assistance Grant (JAG) Program			
5. NAME & ADDRESS Connecticut Office or 450 Capitol Ave MS Hartford, CT 06106-	f Policy and Management #52CJP	6. NAME & ADRESS OF SUBGR	ANTEE	
7. PROGRAM PERIOD		8. BUDGET PERIOD		
FROM: 10/	01/2016 TO: 09/30/2020	FROM: 10/01/2016	TO: 0	9/30/2020
9. AMOUNT OF AWAR	D	10. DATE OF AWARD		
\$ 1,711,049		06/26/2018		
11. SECOND YEAR'S B	UDGET	12. SECOND YEAR'S BUDGET A	AMOUNT	
13. THIRD YEAR'S BUI	DGET PERIOD	14. THIRD YEAR'S BUDGET AM	AOUNT	
15. SUMMARY DESCR	IPTION OF PROJECT (See instruction on reverse)	1		

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following program areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation) and 8) mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.

This State JAG award will be used to support criminal justice initiatives that fall under one or more of the allowable program areas above. Funded programs or

OJP FORM 4000/2 (REV. 4-88)

initiatives may include multijurisdictional drug and gang task forces, crime prevention and domestic violence programs, courts, corrections, treatment, justice information sharing initiatives, or other programs aimed at reducing crime and/or enhancing public/officer safety.

NCA/NCF

Exhibit C

Massachusetts Byrne JAG Award Letter



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

June 26, 2018

Secretary Daniel Bennett Massachusetts Executive Office of Public Safety Ten Park Plaza, Suite 3720 Boston, MA 02116-3933

Dear Secretary Bennett:

On behalf of Attorney General Jefferson Sessions III, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 17 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - State Solicitation in the amount of \$3,453,006 for Massachusetts Executive Office of Public Safety.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Zafra Stork, Program Manager at (202) 598-1483; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

Alan R. Hanson Principal Deputy Assistant Attorney General

Enclosures



Case 1:18-cv-06471 Document 1-3 Filed 07/18/18 Page 3 of 30

OFFICE FOR CIVIL RIGHTS

Office of Justice Programs U.S. Department of Justice 810 7th Street, NW Washington, DC 20531

Tel: (202) 307-0690 TTY: (202) 307-2027 E-mail: askOCR@usdoj.gov Website: www.ojp.usdoj.gov/ocr

June 26, 2018

Secretary Daniel Bennett Massachusetts Executive Office of Public Safety Ten Park Plaza, Suite 3720 Boston, MA 02116-3933

Dear Secretary Bennett:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at http://ojp.gov/about/ocr/vawafaqs.htm.

Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website http://www.lep.gov.

Ensuring Equal Treatment for Faith-Based Organizations

The DOJ regulation, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Using Arrest and Conviction Records in Making Employment Decisions

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at http://www.ojp.usdoj.gov//about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOPs) (see below).

Complying with the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEOP (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), .205(c)(5)).

Meeting the EEOP Requirement

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at http://www.ojp.usdoj.gov/about/ocr/eeop.htm. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOsubmisson@usdoj.gov.

Meeting the Requirement to Submit Findings of Discrimination

If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

Ensuring the Compliance of Subrecipients

SAAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see http://www.ojp.usdoj.gov/funding/other_requirements.htm.

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,

Minh 2. also

Michael L. Alston Director

cc: Grant Manager Financial Analyst

U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	Grant	PAGE 1 OF 22
1. RECIPIENT NAME AND ADDRESS (Including Zip Code)	4. AWARD NUMBER: 2017-DJ-BX-0076	
Massachusetts Executive Office of Public Safety Ten Park Plaza, Suite 3720 Boston, MA 02116-3933	5. PROJECT PERIOD: FROM 10/01/2016	TO 09/30/2020 TO 09/30/2020
	6. AWARD DATE 06/26/2018 7.	ACTION
2a. GRANTEE IRS/VENDOR NO. 046002284	8. SUPPLEMENT NUMBER 00	Initial
2b. GRANTEE DUNS NO.	9. PREVIOUS AWARD AMOUNT	\$ 0
824848642 3. PROJECT TITLE The Edward Byrne Memorial Justice Assistance Grant (JAG) Program in	10. AMOUNT OF THIS AWARD	\$ 3,453,006
Massachusetts	11. TOTAL AWARD	\$ 3,453,006
ON THE ATTACHED PAGE(S). 13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY17(BJA - JAG State and JAG Local) Titl including subpart 1 of part E (codified at 42 U.S.C. 3750 - 3758); see also 2 14 . CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.738 - Edward Byrne Memorial Justice Assistance Grant Program 15. METHOD OF PAYMENT GPRS	e I of Pub. L. No. 90-351 (generally codified at 42 U.S.C 8 U.S.C. 530C(a).	2. 3711 - 3797ff-5),
AGENCY APPROVAL	GRANTEE ACCEPTAN	ICE
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL	18. TYPED NAME AND TITLE OF AUTHORIZED	GRANTEE OFFICIAL
Alan R. Hanson Principal Deputy Assistant Attorney General	Daniel Bennett Secretary	
17. SIGNATURE OF APPROVING OFFICIAL	19. SIGNATURE OF AUTHORIZED RECIPIENT C	DFFICIAL 19A. DATE
AGENC	Y USE ONLY	
20. ACCOUNTING CLASSIFICATION CODES	21. SDJUGT1249	
FISCAL FUND BUD. DIV. YEAR CODE ACT. OFC. REG. SUB. POMS AMOUNT		
X B DJ 80 00 00 3453006		

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

REAL PROPERTY OF THE PROPERTY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 2 OF 22
PROJECT NUMBER	2017-DJ-BX-0076	AWARD DATE 06/26/2018	I
	SPECIAL	CONDITIONS	
1. Requi	rements of the award; remedies for non-co	ompliance or for materially false statements	
submi		ements of the award. Compliance with any certifelate to conduct during the period of performance	
condi may r award	tion incorporated by reference below, or a esult in the Office of Justice Programs ("C l. Among other things, the OJP may withh	e award requirements whether a condition set or certification or assurance related to conduct durin DP") taking appropriate action with respect to the old award funds, disallow costs, or suspend or ter DJP, also may take other legal action as appropriat	ng the award period recipient and the rminate the award.
or om and/or	ission of a material fact) may be the subject	tement to the federal government related to this a ct of criminal prosecution (including under 18 U. mposition of civil penalties and administrative ren 730 and 3801-3812).	S.C. 1001 and/or 1621,
shall t	first be applied with a limited construction instead, that the provision is utterly invalid	ward be held to be invalid or unenforceable by its so as to give it the maximum effect permitted by l or -unenforceable, such provision shall be deem	law. Should it be
2. Appli	cability of Part 200 Uniform Requirements	s	
and su		st Principles, and Audit Requirements in 2 C.F.R.) (together, the "Part 200 Uniform Requirements"	
supple Decer (regar	ements funds previously awarded by OJP unber 2014), the Part 200 Uniform Require	adopted by DOJ on December 26, 2014. If this F under the same award number (e.g., funds awarde ments apply with respect to all funds under that a whether derived from the initial award or a supple his FY 2017 award.	d during or before ward number
		200 Uniform Requirements as they relate to OJP .gov/funding/Part200UniformRequirements.htm.	awards and subawards
that m		s from documents or other materials prepared or one way from, the provisions of the Part 200 Unifontion.	
3. Comp	liance with DOJ Grants Financial Guide		
DOJ (rants Financial Guide as posted on the OJP websit //ojp.gov/financialguide/DOJ/index.htm), includin ance.	

S CONTRACTOR OF THE SECOND	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 3 OF 22
PROJECT NUME	BER 2017-DJ-BX-0076	AWARD DATE 06/26/2018	
	SPECIAL	CONDITIONS	
B cc re th In Fl ca PQ cc A pu in Th	equired training for Point of Contact and all Fi oth the Point of Contact (POC) and all Financi ompleted an "OJP financial management and g ecipient's acceptance of the award. Successful his condition. In the event that either the POC or an FPOC for POC must have successfully completed an "OJ alendar days after (1) the date of OJP's appro- OC), or (2) the date the POC enters information ompletion of such a training on or after January list of OJP trainings that OJP will consider "Courposes of this condition is available at https://- aclude a session on grant fraud prevention and on the recipient should anticipate that OJP will imp	inancial Points of Contact ial Points of Contact (FPOCs) for this award mu grant administration training" by 120 days after t completion of such a training on or after Januar this award changes during the period of perform JP financial management and grant administration val of the "Change Grantee Contact" GAN (in the on on the new FPOC in GMS (in the case of a ne y 1, 2015, will satisfy this condition. DJP financial management and grant administrat (www.ojp.gov/training/fmts.htm. All trainings the	he date of the y 1, 2015, will satisfy nance, the new POC or on training" by 120 he case of a new w FPOC). Successful ion training" for hat satisfy this condition e recipient fails to
A in O U	direct cost rate described in 2 C.F.R. 200.414(JP in writing of both its eligibility and its elect	ost rate niform Requirements and other applicable law to (f), and that elects to use the "de minimis" indire tion, and must comply with all associated requir may be applied only to modified total direct cos	ect cost rate, must advise ements in the Part 200
6. R If fu of id av av	equirement to report potentially duplicative fur the recipient currently has other active awards unds during the period of performance for this a f those other federal awards have been, are bein lentical cost items for which funds are provided warding agency (OJP or OVW, as appropriate)	s of federal funds, or if the recipient receives any award, the recipient promptly must determine w ng, or are to be used (in whole or in part) for one d under this award. If so, the recipient must pro) in writing of the potential duplication, and, if so ion or change-of-project-scope grant adjustment	hether funds from any e or more of the mptly notify the DOJ o requested by the DOJ

STATE NT OF COMPANY	ALC & SUM	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 4 OF 22	
PROJECT NUM	1BER	2017-DJ-BX-0076	AWARD DATE	06/26/2018		
		SPECIAL	CONDITIONS			
7. I	Requir	ements related to System for Award Man	agement and Uni	versal Identifier Requirements		
2	current as well	cipient must comply with applicable required ly accessible at https://www.sam.gov/. T as maintaining the currency of informaticipient also must comply with applicable	This includes appl on in SAM.	icable requirements regarding re	egistration with SAM,	
((first-ti	er "subgrantees"), including restrictions of nt) the unique entity identifier required for	on subawards to e	ntities that do not acquire and p		
8	The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at https://ojp.gov/funding/Explore/SAM.htm (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.					
	This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).					
8. 4	8. All subawards ("subgrants") must have specific federal authorization					
2	The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that for purposes of federal grants administrative requirements OJP considers a "subaward" (and therefore does not consider a procurement "contract").					
ł	The details of the requirement for authorization of any subaward are posted on the OJP web site at https://ojp.gov/funding/Explore/SubawardAuthorization.htm (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.					
		c post-award approval required to use a r \$150,000	noncompetitive ap	pproach in any procurement con	tract that would	
s S f	specifi Simpli	cipient, and any subrecipient ("subgranted c advance approval to use a noncompetiti fied Acquisition Threshold (currently, \$1 grants administrative requirements OJ ward).	ive approach in an 50,000). This co	ny procurement contract that wo ndition applies to agreements that	uld exceed the at for purposes of	
a (The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract unde an OJP award are posted on the OJP web site at https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contrac (if contract would exceed \$150,000)), and are incorporated by reference here.					

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CONTRACTOR OF	A LONG THE REAL PROPERTY OF	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 5 OF 22	
PROJECT NU	JMBER	2017-DJ-BX-0076	AWARD DATE	06/26/2018		
		SPECIAL	CONDITIONS			
10.		rements pertaining to prohibited conduct a athority to terminate award)	related to trafficking	ng in persons (including reportin	ng requirements and	
	The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient. The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP web site at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP web site at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking in persons (including reporting requirements and OJP web site at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking in persons (including reporting requirements and OJP web site at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking in persons (including reporting requirements and OJP web site at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking in persons (including reporting requirements and OJP web site at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking in persons (including reporting requirements and OJP web site at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking in persons (including reporting requirements and OJP web site at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking in persons (including reporting requirements and OJP web site at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking in persons (including reporting requirements and OJP web site at https://ojp.gov/funding/Explore/Prohi					
11.	authority to terminate award)), and are incorporated by reference here.11. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events					
	The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.					
	Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").					
12.	. Requirement for data on performance and effectiveness under the award					
	The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.					
13.	OJP T	raining Guiding Principles				
	deliver	aining or training materials that the recipi rs with OJP award funds must adhere to the ble at https://ojp.gov/funding/ojptrainingg	he OJP Training C	Buiding Principles for Grantees		
14.	Effect	of failure to address audit issues				
	award does ne Requir	cipient understands and agrees that the D funds, or may impose other related requin ot satisfactorily and promptly address out rements (or by the terms of this award), or gations, or reviews of DOJ awards.	rements, if (as dete tstanding issues fro	ermined by the DOJ awarding a om audits required by the Part 2	gency) the recipient 00 Uniform	
15.	Potent	ial imposition of additional requirements				
	(OJP o	cipient agrees to comply with any additio or OVW, as appropriate) during the period or purposes of the DOJ high-risk grantee	d of performance f			

G CONTRACTOR	Contraction of the second	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 6 OF 22			
PROJECT N	JMBER	2017-DJ-BX-0076	AWARD DATE 06/26/2018				
16.	Comp		CONDITIONS civil rights and nondiscrimination - 28 C.F.R. Pa	rt 42			
	The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.						
17.	Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54 The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."						
18.							
	Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.						
	The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," is available via the Electronic Code of Federal Regulations (currently accessible at https://www.ecfr.gov/cgi-bin/ECFR?page=browse), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.						
19.	Restric	ctions on "lobbying"					
	In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)						
	Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.						
	Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.						

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A DETICE OF	A LANDARY AND A LANDARY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	S	ONTINUATION HEET Grant	PAGE 7 OF 22		
PROJECT NU	UMBER	2017-DJ-BX-0076	AWARD DATE (06/26/2018			
		SPECIAL	CONDITIONS				
20.	Compliance with general appropriations-law restrictions on the use of federal funds (FY 2017)						
	federa provis https:/ Should fall wi	cipient, and any subrecipient ("subgranted l funds set out in federal appropriations st ions" in the Consolidated Appropriations /ojp.gov/funding/Explore/FY17Appropria d a question arise as to whether a particula thin the scope of an appropriations-law re ed without the express prior written appro	tatutes. Pertinent rest Act, 2017, are set ou ationsRestrictions.htm ar use of federal fund estriction, the recipier	rictions, including from vari t at n, and are incorporated by re s by a recipient (or a subreci	ous "general ference here. pient) would or might		
21.	Repor	ting potential fraud, waste, and abuse, and	d similar misconduct				
	Generative	ccipient, and any subrecipients ("subgrant al (OIG) any credible evidence that a prin a has, in connection with funds under this itted a criminal or civil violation of laws p nduct. ial fraud, waste, abuse, or misconduct inv y (1) mail directed to: Office of the Insp ennsylvania Avenue, N.W. Room 4706, V DJ OIG hotline: (contact information in E	volving or relating to bector General, U.S. I Vashington, DC 2053	nt, subrecipient, contractor, s d a claim that violates the Fa onflict of interest, bribery, gr funds under this award shou Department of Justice, Invest 0; (2) e-mail to: oig.hotline	subcontractor, or other lse Claims Act; or (2) atuity, or similar ld be reported to the tigations Division, @usdoj.gov; and/or (3)		
	Additi	onal information is available from the DC	OJ OIG website at htt	ps://www.usdoj.gov/oig.			

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REAL PROPERTY OF THE PROPERTY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 8 OF 22
PROJECT NUMBEI	R 2017-DJ-BX-0076	AWARD DATE 06/26/2018	
22. Rest No r subc agre acco depa The requisens nond 1. I a. re or ca cont b. c agre or al writ oblij 2. I both a. it (1) (whe requiprof frau (2) b. it und or o imm the f	SPECIAL trictions and certifications regarding non-dis recipient or subrecipient ("subgrantee") unde contract with any funds under this award, ma mement or statement that prohibits or otherwi- ordance with law) of waste, fraud, or abuse t artment or agency authorized to receive such foregoing is not intended, and shall not be u- tirements applicable to Standard Form 312 (itive compartmented information), or any of disclosure of classified information. In accepting this award, the recipient epresents that it neither requires nor has requ- portractors that currently prohibit or otherwis ractors from reporting waste, fraud, or abuse ertifies that, if it learns or is notified that it i mements or statements that prohibit or otherwis gations only if expressly authorized to do so of the recipient does or is authorized under th t represents that it has determined that no other entity that th ether through a subaward ("subgrant"), proc uires or has required internal confidentiality ibit or otherwise currently restrict (or purpor d, or abuse as described above; and it has made appropriate inquiry, or otherwis t certifies that, if it learns or is notified that a er this award is or has been requiring its emp therwise restrict (or purport to prohibit or re rediately stop any further obligations of awa	<i>CONDITIONS</i> sclosure agreements and related matters er this award, or entity that receives a procureme ay require any employee or contractor to sign an ise restricts, or purports to prohibit or restrict, the to an investigative or law enforcement represent information. Inderstood by the agency making this award, to a which relates to classified information), Form 44 ther form issued by a federal department or agen uired internal confidentiality agreements or state se currently restrict (or purport to prohibit or rest e as described above; and is or has been requiring its employees or contract vise restrict (or purport to prohibit or restrict), rep a stop any further obligations of award funds, will g this award, and will resume (or permit resumpt	<pre>internal confidentiality e reporting (in tive of a federal contravene 414 (which relates to cy governing the ments from employees rict) employees or tors to execute porting of waste, fraud, ll provide prompt tion of) such urement contracts, or ceive award funds ement contract) either ntractors that currently rs from reporting waste, epresentation; and tity that receives funds statements that prohibit cribed above, it will t written notification to</pre>
imm the f	nediately stop any further obligations of awa federal agency making this award, and will n	rd funds to or by that entity, will provide promp	t written notification to

CONTRACTOR OF THE PROPERTY OF	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 9 OF 22
PROJECT NU	MBER 2017-DJ-BX-0076	AWARD DATE 06/26/2018	I
23.	Compliance with 41 U.S.C. 4712 (including pro The recipient (and any subrecipient at any tier) r	<i>CONDITIONS</i> whibitions on reprisal; notice to employees) must comply with, and is subject to, all applicable to that prohibit, under specified circumstances, disc	
	employee as reprisal for the employee's disclosu gross waste of federal funds, an abuse of author health or safety, or a violation of law, rule, or re The recipient also must inform its employees, in employee rights and remedies under 41 U.S.C. 4	The of information related to gross mismanagement ity relating to a federal grant, a substantial and sp gulation related to a federal grant.	at of a federal grant, a ecific danger to public of the workforce), of
	contact the DOJ awarding agency (OJP or OVW		
24.	51225 (October 1, 2009), DOJ encourages recip banning employees from text messaging while o	g while driving eadership on Reducing Text Messaging While Dri ients and subrecipients ("subgrantees") to adopt a driving any vehicle during the course of performin s and conduct education, awareness, and other ou	nd enforce policies ng work funded by this
25.	Cooperating with OJP Monitoring		
	procedures, and to cooperate with OJP (includin Officer (OCFO)) requests related to such monitor recipient agrees to provide to OJP all documentation documentation related to any subawards made us deadlines set by OJP for providing the requested result in actions that affect the recipient's DOJ a	itoring of this award pursuant to OJP's guidelines on the grant manager for this award and the Office oring, including requests related to desk reviews a ation necessary for OJP to complete its monitorin under this award. Further, the recipient agrees to a d documents. Failure to cooperate with OJP's mo wards, including, but not limited to: withholdings nds; referral to the DOJ OIG for audit review; des ation of an award(s).	e of Chief Financial and/or site visits. The g tasks, including abide by reasonable nitoring activities may and/or other
26.	FFATA reporting: Subawards and executive co	mpensation	
	more and, in certain circumstances, to report the executives of the recipient and first-tier subrecip obligations, which derive from the Federal Fund	irements to report first-tier subawards ("subgrants e names and total compensation of the five most h bients (first-tier "subgrantees") of award funds. T ling Accountability and Transparency Act of 2000 Explore/FFATA.htm (Award condition: Reporting by reference here.	ighly compensated he details of recipient 6 (FFATA), are posted
		ent, does not apply to (1) an award of less than S ward as a natural person (i.e., unrelated to any bu in his or her name).	

R CONTRACTOR OF THE REAL OF TH	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 10 OF 22
PROJECT NU	JMBER 2017-DJ-BX-0076	AWARD DATE 06/26/2018	
	SPECIAL	CONDITIONS	
27.	Use of program income		
		form Requirements) must be used in accordance ncome earnings and expenditures both must be re	
28.	Justice Information Sharing		
	public safety community, the recipient (and any Information Sharing Initiative (DOJ's Global) g shall conform to the Global Standards Package https://it.ojp.gov/gsp_grantcondition. The recipi	able interoperability among disparate systems acre subrecipient at any tier) must comply with DOJ uidelines and recommendations for this particular (GSP) and all constituent elements, where applica- tion shall document planned approaches to inform e privacy policy that protects shared information, recommended.	s Global Justice award. The recipient able, as described at: ation sharing and
29.	Avoidance of duplication of networks		
	sharing systems which involve interstate connect possible, existing networks as the communication	stems in any initiatives funded by BJA for law en ctivity between jurisdictions, such systems shall e on backbone to achieve interstate connectivity, un requirement would not be cost effective or would em.	mploy, to the extent less the recipient can
30.	Compliance with 28 C.F.R. Part 23		
	any subrecipient at any tier) must comply with 2 OJP determines this regulation to be applicable. its discretion, perform audits of the system, as p	tem funded or supported by funds under this awar 28 C.F.R. Part 23, Criminal Intelligence Systems Should OJP determine 28 C.F.R. Part 23 to be ap er the regulation. Should any violation of 28 C.F. c)-(d). The recipient may not satisfy such a fine w	Operating Policies, if oplicable, OJP may, at R. Part 23 occur, the
31.	Protection of human research subjects		
		must comply with the requirements of 28 C.F.R. In of human research subjects, including obtainment ject informed consent.	
32.	Confidentiality of data		
	and 28 C.F.R. Part 22 that are applicable to coll	must comply with all confidentiality requirements ection, use, and revelation of data or information. mit a Privacy Certificate that is in accord with rec 3.	The recipient further

REAL PROPERTY OF THE	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 11 OF 22
PROJECT NU	MBER 2017-DJ-BX-0076	AWARD DATE 06/26/2018	
33.	Verification and updating of recipient contact in The recipient must verify its Point of Contact(Po	OC), Financial Point of Contact (FPOC), and Aut	
l		luding telephone number and e-mail address. If a otice (GAN) must be submitted via the Grants M	
34.	Law enforcement task forces - required training		
	who is a task force commander, agency executive must complete required online (internet-based) to	ent member of a law enforcement task force fund we, task force officer, or other task force member task force training. Additionally, all future task for performance for this award, or once every four y	of equivalent rank, prce members must
	Leadership (www.ctfli.org). The training address privacy and civil liberties/rights, task force perfo	online through the BJA-funded Center for Task l asses task force effectiveness, as well as other key ormance measurement, personnel selection, and t ort a task force, the recipient must compile and ma certificates.	issues including ask force oversight and
	Additional information regarding the training is Integrity and Leadership (www.ctfli.org).	available through BJA's web site and the Center	for Task Force
35.	Required attendance at BJA-sponsored events		
	The recipient (and its subrecipients at any tier) r events, or conferences held by BJA or its design	nust participate in BJA-sponsored training events nees, upon BJA's request.	s, technical assistance
36.	Justification of consultant rate		
		val of any consultant rate in excess of \$650 per da by the OJP program office prior to obligation or	
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OR LEVELON	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 12 OF 22
PROJECT NU	MBER 2017-DJ-BX-0076	AWARD DATE 06/26/2018	I
	SPECIAL	CONDITIONS	
37.	Compliance with National Environmental Policy	y Act and related statutes	
	Environmental Policy Act (NEPA), the National impact analyses requirements in the use of these Accordingly, the recipient agrees to first determ to obligating funds for any of these purposes. If the award, the recipient agrees to contact BJA. The recipient understands that this condition app specifically funded with these award funds. Tha	It at any tier) must assist BJA in complying with Historic Preservation Act, and other related fede award funds, either directly by the recipient or b ine if any of the following activities will be funde it is determined that any of the following activities plies to new activities as set out below, whether o t is, as long as the activity is being conducted by needs to be undertaken in order to use these awar condition are:	eral environmental y a subrecipient. ed by the grant, prior es will be funded by r not they are being the recipient, a
	a. New construction;		
		v located in an environmentally or historically sen , a wetland, or habitat for endangered species, or istoric Places;	
	c. A renovation, lease, or any proposed use of a prior use or (b) significantly change its size;	building or facility that will either (a) result in a c	change in its basic
		the use of chemicals other than chemicals that are b) traditionally used, for example, in office, house	
	e. Implementation of a program relating to cland identification, seizure, or closure of clandestine	lestine methamphetamine laboratory operations, i methamphetamine laboratories.	including the
	Assessment and/or an Environmental Impact Sta	lying with NEPA may require the preparation of a atement, as directed by BJA. The recipient further f a Mitigation Plan, as detailed at https://bja.gov/ ry operations.	r understands and
	subrecipients' existing programs or activities that	isting Programs or Activities: For any of the reci at will be funded by these award funds, the recipie a in any preparation by BJA of a national or progr	ent, upon specific
38.	Establishment of trust fund		
	required to establish a trust fund account. (The t including any interest, may not be used to pay d Edward Byrne Memorial Justice Assistance Gra funds in the trust fund (including any interest ea	e, the recipient (or a subrecipient, with respect to rust fund may or may not be an interest-bearing a ebts or expenses incurred by other activities beyo nt Program (JAG). The recipient also agrees to of rned) during the period of performance for the av nexpended funds, including interest earned, must	ccount.) The fund, nd the scope of the bligate the award ward and expend

COLUSTICE	U.S. Department of Justi Office of Justice Program Bureau of Justice A	ms AWAR	D CONTINUATION SHEET Grant	PAGE 13 OF 22
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		SPECIAL CONDITIONS		
39.	Prohibition on use of award funds	s for match under BVP progra	m	
	JAG funds may be used to purcha DOJ Bulletproof Vest Partnership		ey may not be used as the 50% n	match for purposes of the
40.	Certification of body armor "man	ndatory wear" policies		
	The recipient agrees to submit a s with funds from this award have a certifications on file for any subre resistant body armor purchases. T this award may be used by an age other than it be a mandatory wear	a written "mandatory wear" per recipients planning to utilize fu This policy must be in place for ency for body armor. There are	blicy in effect. The recipient mu ands from this award for ballistic or at least all uniformed officers e no requirements regarding the	st keep signed c-resistant and stab- before any funds from
41.	Body armor - compliance with N	IJ standards		
	Ballistic-resistant and stab-resista level, make or model, from any d comply with applicable National Armor Model List (https://nij.gov American-made. The latest NIJ st armor/pages/safety-initiative.asp	listributor or manufacturer, as Institute of Justice ballistic or v/). In addition, ballistic-resist standard information can be for	long as the body armor has been stab standards and is listed on t ant and stab-resistant body armo	n tested and found to he NIJ Compliant Body or purchased must be
42.	Required monitoring of subaward	ds		
	The recipient must monitor subay award conditions, and the DOJ G subaward. Among other things, th specific outcomes and benefits at request, documentation of its poli	Grants Financial Guide, and mu he recipient is responsible for ttributable to use of award fund	ist include the applicable condit oversight of subrecipient spendi ds by subrecipients. The recipien	ions of this award in any ing and monitoring of nt agrees to submit, upon
43.	Reporting requirements			
	The recipient must submit quarter OJP's GMS (https://grants.ojp.use Performance and Results Act (GF measure the results of its work. T Performance Measurement Tool reporting and other JAG requirem JAG reports by established dead	doj.gov). Consistent with the I PRA) and the GPRA Moderniz The recipient must submit qua	Department's responsibilities un zation Act of 2010, the recipient rterly performance metrics repo	der the Government must provide data that rts through BJA's tailed information on re to submit required
		nents, refer to the JAG reporting		Risk designation.
44.	Required data on law enforcemer	nents, refer to the JAG reporting lines may result in the freezing		Risk designation.

STATENTORY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 14 OF 22
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	SPECIAL	CONDITIONS	
45.	Prohibited Expenditures List		
		listed on the Prohibited Expenditure List at the ti ed from time to time. The Prohibited Expenditure ledPurchaseList.pdf	
46.	Controlled expenditures - prior written approval	l required	
	acquisition, including as the list may be amende	listed on the Controlled Expenditure List at the ti ed from time to time, without explicit written prio ns on how to request approval for purchase or acc rchaseList.pdf	r approval from BJA.
47.	Controlled expenditures - incident reporting		
	purchase or acquisition, including as the list ma at least 3 years) certain information about the us agency's inventory, and (2) any other controlled equipment in the agency's inventory, regardless	quire any item on the Controlled Expenditure Lis y be amended from time to time, the agency must se of (1) any federally-acquired Controlled Equi equipment in the same category as the federally- of source; and the agency must make that inform ust be collected and retained are set out at https://	collect and retain (for pment in the acquired controlled ation available to BJA
48.	Sale of items on Controlled Expenditure List		
		Jniform Requirements set out at 2 C.F.R. 200.313 ased with award funds may be transferred or sold	
	Agency (LEA) after obtaining prior written app	equipment, except riot helmets and riot shields, to roval from BJA. As a condition of that approval, ions to BJA as if it were requesting approval to us enditure List.	the acquiring LEA will
	b. Agencies may not transfer or sell any riot he	lmets or riot shields purchased under this award.	
	exception of fixed wing aircraft, rotary wing air sale is finalized, the agency must obtain prior w	elled Equipment purchased under this award to no craft, and command and control vehicles. Before ritten approval from BJA. All law enforcement-re and all law enforcement insignias and identifying	any such transfer or elated and other
	The recipient must notify BJA prior to the dispo award funds, and must abide by any applicable	osal of any items on the Controlled Expenditure L laws (including regulations) in such disposal.	ist purchased with
49.	Prohibited or controlled expenditures - Effect of	f failure to comply	
	Failure to comply with an award condition relat further approvals of controlled expenditures und	ed to prohibited or controlled expenditures may reder this or other federal awards.	esult in denial of any

STUDENT OF J	SULTON SULTON	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 15 OF 22
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		SPECIAL	CONDITIONS	
50.	Contr	olled expenditures - Standards		
	equip Stand Comm Contro (b) Su Consi	ment with award funds must adopt robust a ards and Specific Controlled Equipment Se nunity Policing; (b) Constitutional Policing olled Equipment Standards includes polici upervision of Use; (c) Effectiveness Evalua	ve Order 13688, a law enforcement agency that a and specific written policies and protocols gover tandards. General Policing Standards includes pe g; and (c) Community Input and Impact Conside es specifically related to (a) Appropriate Use of ation; (d) Auditing and Accountability; and (e) T nt must provide a copy of the General Policing S d policies and protocols.	ning General Policing olicies on (a) rations. Specific Controlled Equipment; ransparency and Notice
51.	Autho	prization to obligate (federal) award funds	to reimburse certain project costs incurred on or	after October 1, 2016
	the fir project minim remov preclu	est day of the period of performance for the et costs using non-federal funds, but any su num (1) the recipient makes a valid accepted by OJP (via a Grant Adjustment Notice	s only after the recipient makes a valid acceptan e award (October 1, 2016), however, the recipier ich project costs are incurred at the recipient's ris- ptance of the award, and (2) all applicable withhore). (A withholding condition is a condition in the ng, or drawing down all or a portion of the awar	at may choose to incur sk until, at a olding conditions are e award document that
	risk," condit itself award	if and when the recipient makes a valid ac tion through a Grant Adjustment Notice, th for project costs incurred "at-risk" earlier of	ition expressly precludes reimbursement of projeceptance of this award and OJP removes each ap ne recipient is authorized to obligate (federal) aw during the period of performance (such as projec icable withholding condition), provided that those	oplicable withholding yard funds to reimburse t costs incurred prior to
	funds the St	to "supplant" State or local funds in violat	authorize the recipient (or any subrecipient at ar tion of the recipient's certification (executed by t s will be used to increase the amounts of such fur law enforcement activities.	he chief executive of
52.	"Certi	fication of Compliance with 8 U.S.C. 137	3" required for valid award acceptance by a "Sta	te"
	with 8 submi	B U.S.C. 1373" (executed by the chief legal itted to OJP together with the fully-execute a signed award document is submitted to 0	ctive recipient must submit the required "Certific l officer of the State). Unless that executed certi ed award document, or (2) is uploaded in OJP's (OJP, any submission by a State that purports to a	fication either (1) is GMS no later than the
	certifi		e recipient is invalid, once the State does submit may submit a fully-executed award document ex	

CONTRACTOR DE LA CONTRA	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 16 OF 22
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	SPECIAL	CONDITIONS	
53. Ongo	ing compliance with 8 U.S.C. 1373 is requ	ired	
activi gover from (2) a g regard	ty" of any subrecipient at any tier), through nment entity, -agency, or -official may pro sending or receiving information regarding government entity or -agency from sending	led in whole or part under this award (including a nout the period of performance for the award, no a hibit or in any way restrict (1) any government citizenship or immigration status as described in g, requesting or receiving, maintaining, or exchan U.S.C. 1373(b). For purposes of this award, any p prmation-communication restriction."	State or local entity or -official a 8 U.S.C. 1373(a); or ging information
"publ execu appro recipi "publ execu	ic" institution of higher education, unless in ted by the chief legal officer of the jurisdic priate form available at https://ojp.gov/fun ent must require that no subrecipient (at an ic" institution of higher education, unless in	ent may not make a subaward to a State or local g t first obtains a certification of compliance with 8 etion or institution that would receive the subaward ding/Explore/SampleCertifications-8USC1373.ht y tier) may make a further subaward to a State on t first obtains a certification of compliance with 8 etion or institution that would receive the further s	3 U.S.C. 1373, properly rd, using the tm. Similarly, the r local government or a 3 U.S.C. 1373, properly
	e recipient's monitoring responsibilities incondition.	lude monitoring of subrecipient compliance with	the requirements of
exten autho subre	t that such costs are not reimbursed under a rized reimbursements) for the reasonable, i	irements is an authorized and priority purpose of any other federal program, award funds may be of necessary, and allocable costs (if any) that the rec vernment or a "public" institution of higher educa	bligated (including for pipient, or any
5. Ru	les of Construction		
A. Fo	r purposes of this condition:		
	tate" and "local government" include any a tion or any Indian tribe.	agency or other entity thereof, but not any institut	tion of higher
	"public" institution of higher education is nment.	one that is owned, controlled, or directly funded l	by a State or local
(3) "F	Program or activity" means what it means u	nder title VI of the Civil Rights Act of 1964 (see	42 U.S.C. 2000d-4a).
Immi mean	grant Responsibility Act of 1996); and term	or purposes of 8 U.S.C. 1373 (Illegal Immigration ns that are defined in 8 U.S.C. 1101 (Immigration xcept that the term "State" also shall include Amo	n and Nationality Act)
Funct		enced in) 8 U.S.C. 1551 note ("Abolition and Naturalization Service" in 8 U.S.C. 1373 are to b neland Security (DHS).	
State		to authorize or require any recipient, any subreci on of higher education, or any other entity (or ind or nondiscrimination law.	

CONTENT OR OF	ALL A SAVE	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 17 OF 22
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		SPECIAL	CONDITIONS	
		RTANT NOTE: Any questions about the acceptance.	meaning or scope of this condition should be c	lirected to OJP, before
54.	Author	rity to obligate award funds contingent on	compliance with 8 U.S.C. 1373; unallowable of	costs; obligation to notify
	1. If the	he recipient is a State or local government	[
	recipie	ent (or of any subrecipient at any tier that i education) that is funded in whole or in p	if, at the time of the obligation, the "program of is a either a State or unit of local government of part with award funds is subject to any "informa	a "public" institution of
	reimbu subrec	urse itself if at the time it incurs such co ipient at any tier that is a either a State or ould be reimbursed in whole or in part wit	it incurs "at risk," the recipient may not obligate osts the "program or activity" of the recipient unit of local government or a "public" institution th award funds was subject to any "information	(or of any on of higher education)
	by the		ent shall be considered, for all purposes, to be a scipient requests the drawdown, the recipient an S.C. 1373.	
	with av recipie educat subrec promp	ward conditions or otherwise, has credible ent, or of any subrecipient at any tier that i ion, may be subject to any "information-c ipient that is either a State or a local gove	writing) if the recipient, from its requisite moni e evidence that indicates that the funded "progra is either a State or a local government or a "pub communication restriction." In addition, any sub rnment or a "public" institution of higher educa ubaward, should the subrecipient such credible	am or activity" of the lic" institution of higher wavard (at any tier) to a tion must require
	higher "progr	education must provide that the subrecipi	that is either a State or a local government or a ient may not obligate award funds if, at the time any further such subrecipient at any tier) that is ition-communication restriction."	of the obligation, the
	circum transite funds t such d monite	nstances (e.g., a small amount of award fu ory non-compliance, which was unknown that, under this condition, may not be made etermination, DOJ will give great weight	DOJ to the contrary, based upon a finding by D nds obligated by the recipient at the time of a su- to the recipient despite diligent monitoring), and the shall be unallowable costs for purposes of the to evidence submitted by the recipient that demi- requirements set out in the award condition enter-	ubrecipient's minor and ny obligations of award is award. In making any constrates diligent
	4. Rul	les of Construction		
		r purposes of this condition "information- ion entitled "Ongoing compliance with 8	communication restriction" has the meaning se U.S.C. 1373 is required."	t out in the award
	B. Bo			

OR CONTRACTOR OF	NUMBER OF STREET	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance		CONTINUATION SHEET Grant	PAGE 18 OF 22
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		SPECIAL	CONDITIONS		
55.	Requir	ed State-level rules or practices related to	aliens; allowable c	costs	
		llowing provisions apply to the recipient of ate-government subrecipient at any tier (v			
	1. Req	uirements			
		espect to the "program or activity" that is s this award, and throughout the remainde			the date the recipient
	agents correct	tate statute, or a State rule, -regulation, -p of the United States acting under color of tional facility for the purpose of permittin to be) aliens and to inquire as to such ind	f federal law in fact g such agents to me	are given to access any State eet with individuals who are (o	(or State-contracted) or are believed by such
	when a Immig in such	tate statute, or a State rule, -regulation, -p a State (or State-contracted) correctional f ration and Nationality Act that seeks adva a facility, then such facility will honor suc ion) provide the requested notice to DH	Cacility receives from ance notice of the s och request and as	m DHS a formal written reque cheduled release date and time	st authorized by the e for a particular alien
	2. Mor	nitoring			
	The re- conditi	cipient's monitoring responsibilities incluion.	de monitoring of su	brecipient compliance with th	e requirements of this
	3. Allo	wable costs			
	are not reimbu statute	iance with these requirements is an author reimbursed under any other federal prog resements) for the reasonable, necessary, a s, rules, regulations, policies, and practice .A. above, and (3) honoring any request f	ram, award funds n and allocable costs es to satisfy this cor	hay be obligated (including for (if any) of (1) developing an adition, and (2) permitting according	r authorized d putting into place ess as described in
	4. Rule	es of construction			
	A. For	purposes of this condition			
	(1) the 1101(a	term "alien" means what it means under a (3).	section 101 of the I	mmigration and Nationality A	ct (see 8 U.S.C.
		term "correctional facility" means what i Act of 1968 (see 42 U.S.C. 3791(a)(7)).	t means under the T	Fitle I of the Omnibus Crime C	Control and Safe
	State o	hing in this condition shall be understood or local government, or any other entity or nd time the individual would have been re	individual to main	tain (or detain) any individual	
	hours, the sch	at DHS practice is ordinarily to request ad if possible)." (See DHS Form I-247A (3/ neduled release date and time for an alien ot be a violation of this condition to provi	17)). In the event thare such as not to p	at (e.g., in light of the date DI ermit the advance notice that]	IS made such request)
OJP FORM 400)0/2 (REV	<i>(</i> . 4-88)			

STATE NT OFF	A CONTRACT OF A	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 19 OF 22
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			CONDITIONS	
	advanc	e notice of scheduled release, and to requ	(DHS Form I-247A (3/17)) for two distinct purplest that an individual be detained for up to 48 ho equirements as to such DHS requests for detention	urs AFTER the
			portant Note" set out in the award condition enti- incorporated by reference as though set forth her	
56.	Requir	red local-government-level rules or practic	ces related to aliens; allowable costs	
		to any local-government subrecipient of the	of this award, if the recipient is a unit of local go nis award at any tier (whether or not the recipient	
	1. Rec	quirements		
			funded (in whole or in part) by this award, as of er of the period of performance for the award	the date the recipient
	policy, federal purpos	, or -practice) must be in place that is desi l law in fact are given access a local-gove	, or -practice (or an applicable State statute, -rule gned to ensure that agents of the United States ac rnment (or local-government-contracted) correction individuals who are (or are believed by such agen ain in the United States.	ting under color of onal facility for the
	policy, contrac Nation then su	, or -practice) must be in place that is desi cted) correctional facility receives from D ality Act that seeks advance notice of the	, or -practice (or an applicable State statute, -rule gned to ensure that, when a local-government (or HS a formal written request authorized by the Im scheduled release date and time for a particular a as early as practicable (see "Rules of Construction sted notice to DHS.	c local-government- imigration and ilien in such facility,
	2. Mo	nitoring		
	The recondition		de monitoring of subrecipient compliance with the	e requirements of this
	3. Alle	owable costs		
	are not reimbu statute	t reimbursed under any other federal prog ursements) for the reasonable, necessary, a s, ordinances, rules, regulations, policies,	rized and priority purpose of this award. To the oram, award funds may be obligated (including for and allocable costs (if any) of (1) developing an and practices to satisfy this condition, (2) permit any request from DHS that is encompassed by particular the set of the se	r authorized Id putting into place ting access as
	4. Rul	es of construction		
			tant Note" set out in the award condition entitled by reference as though set forth here in full.	"Ongoing compliance
		e "Rules of Construction" set out in the av ns; allowable costs" are incorporated by re	ward condition entitled "Required State-level rule eference as though set forth here in full.	es or practices related

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	SPECIAL	CONDITIONS	
57.	Use of funds for DNA testing; upload of DNA	profiles	
		dentiary materials, any resulting eligible DNA pr ," the DNA database operated by the FBI) by a g	
	No profiles generated under this award may be prior express written approval from BJA.	entered or uploaded into any non-governmental	DNA database without
	Award funds may not be used for the purchase obe accepted for entry into CODIS.	of DNA equipment and supplies unless the resul	ting DNA profiles may
58.	Encouragement of submission of "success storie	es"	
	story, sign in to a My BJA account at https://ww the recipient does not yet have a My BJA account one of the available areas on the My BJA page	t annual (or more frequent) JAG success stories. ww.bja.gov/Login.aspx to access the Success Sto int, please register at https://www.bja.gov/profile will be "My Success Stories." Within this box, th by BJA, all success stories will appear on the BJA aspx.	bry Submission form. If e.aspx. Once registered, here is an option to add
59.	"Methods of Administration" - monitoring com	pliance with civil rights laws and nondiscriminat	tion provisions
	rights laws and nondiscrimination provisions. V submit to OJP's Office for Civil Rights (at Civil for subrecipient monitoring with respect to civil	ide monitoring of subrecipient compliance with a Within 90 days of the date of award acceptance, IRightsMOA@usdoj.gov) written Methods of Ac I rights requirements. In addition, upon request I nake associated documentation available for revi	the recipient must dministration ("MOA") by OJP (or by another
	https://ojp.gov/funding/Explore/StateMethodsA	to Methods of Administration are posted on the admin-FY2017update.htm (Award condition: "Metates (FY 2017 Update)), and are incorporated by	lethods of
60.	Requirement to disclose whether recipient is de	signated "high risk" by a federal grant-making a	gency outside of DOJ
	during the course of the period of performance information to OJP by email at OJP.Compliance includes any status under which a federal award performance, or other programmatic or financia the following: 1. The federal awarding agency t was designated high risk, 3. The high-risk point	deral grant-making agency outside of DOJ, curre under this award, the recipient must disclose that eReporting@ojp.usdoj.gov. For purposes of this ding agency provides additional oversight due to al concerns with the recipient. The recipient's disc that currently designates the recipient high risk, 2 t of contact at that federal awarding agency (nam- risk status, as set out by the federal awarding ag	t fact and certain related s disclosure, high risk the recipient's past closure must include 2. The date the recipient he, phone number, and

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	SPEC	CIAL CONDITIONS	
61.	Reclassification of various statutory provisi	ions to a new Title 34 of the United States Code	
	reclassified to a new Title 34, entitled "Crin number of statutory provisions pertinent to many provisions previously codified in Titl Effective as of September 1, 2017, any refe reclassified to the new Title 34 of the U.S. O Title 34. This rule of construction specifica	ovisions previously codified elsewhere in the U.S ne Control and Law Enforcement." The reclassif OJP awards (that is, OJP grants and cooperative le 42 of the U.S. Code. erence in this award document to a statutory provi Code is to be read as a reference to that statutory ally includes references set out in award condition award conditions, and references set out in other	fication encompassed a agreements), including ision that has been provision as reclassified to ns, references set out in
62.	Withholding of funds: Budget narrative		
		draw down any award funds until the recipient su for the award, and a Grant Adjustment Notice (G	
63.	Withholding of funds: Research and evaluation	ation independence and integrity	
	for this OJP award information regarding re- detailed instructions in the program solicita any supplemental information it may reques (including as to amount) that OJP may reque actual or apparent personal or financial com	draw down any award funds until: (1) it has proves esearch and evaluation independence and integritation, (2) OJP has completed its review of the info st, (3) the recipient has made (or agreed to) any a life to prevent, eliminate, mitigate, or otherwise a filict of interest on the part of the investigators or nizational conflict of interest on the part of the reco o remove this condition.	y in accordance with the ormation provided and of djustments to the award idequately address any other staff/consultants
	understands and agrees that if it does not pr submission (as determined by OJP), or if it	., not an award under a statutory "formula" progra rovide an adequate research and evaluation indep fails to implement (as determined by OJP) any sa may be terminated (without right of appeal), upor	endence and integrity afeguard included in its
64.	SORNA final agency decision - Appeals		
	implement the Sex Offender Registration at and understands that, as a result of that fina 42 U.S.C. 16925. By accepting this specific	ey decision made by DOJ that recipient's jurisdict nd Notification Act (Public Law 109-248, "SORM al agency decision, the amount of this JAG award c award, the recipient voluntarily agrees that if it was integral in determining this particular fundin he date of acceptance of this award.	NA") before the deadline, was reduced, pursuant to elects to file a judicial
65.	Withholding of funds: Required certificatio	on from the chief executive of the applicant gover	nment
	The recipient may not obligate, expend, or o "Certifications and Assurances by the Chief determined by OJP), and a Grant Adjustme	draw down any award funds until the recipient su	

S OF CONTRACTOR OF	CONTRACT OF A	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 22 OF 22
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PROJECT NU	Recipi admini The rec crimin any oth circum System (currer The de crimin "FAPI Recipi	SPECIAL ent integrity and performance matters: R istrative proceedings to SAM and FAPIIS cipient must comply with any and all app al, and administrative proceedings connec- her grant, cooperative agreement, or proce- istances, recipients of OJP awards are req n for Award Management (known as "SA htly, "FAPIIS"). etails of recipient obligations regarding th al, and administrative proceedings to the IS") within SAM are posted on the OJP w	CONDITIONS equirement to report information on certain civil	mation on civil, ther this OJP award or Jnder certain gs, through the federal ormance system on on certain civil, tem (currently, Award condition:



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject:Incorporates NEPA Compliance in Further Developmental Stages for Massachusetts
Executive Office of Public Safety

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

a. New construction;

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

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

d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and

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

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see https://www.bja.gov/Funding/nepa.html.

Please be sure to carefully review the grant conditions on your award document, as it may contain more specific information about environmental compliance.

STUDIT OF US	U.S. Department of Justice Office of Justice Programs	GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY				
	Bureau of Justice Assistance	Grant				
POSTICE 1		PROJECT NUMBER				
		2017-DJ-BX-0076		PAGE 1 OF 1		
	under FY17(BJA - JAG State and JAG Local) Title I ied at 42 U.S.C. 3750 - 3758); see also 28 U.S.C. 5300		ified at 42 U.S.C.	3711 - 3797ff-5), including		
1. STAFF CONTACT (N	lame & telephone number)	2. PROJECT DIRECTOR (Name	, address & telep	hone number)		
Zafra Stork (202) 598-1483		Kevin Stanton Deputy Executive Director Ten Park Plaza Suite 3720 Boston, MA 02116-3933 (617) 725-3363 ext.25316				
3a. TITLE OF THE PRO	GRAM		3b. POMS CO ON REVE	DE (SEE INSTRUCTIONS		
4. TITLE OF PROJECT	e Memorial Justice Assistance Grant (JAG) Program -					
5. NAME & ADDRESS	OF GRANTEE	6. NAME & ADRESS OF SUBG	RANTEE			
Massachusetts Execu Ten Park Plaza, Suite Boston, MA 02116-3						
7. PROGRAM PERIOD		8. BUDGET PERIOD				
FROM: 10/	01/2016 TO: 09/30/2020	FROM: 10/01/2016	5 TO: 0	9/30/2020		
9. AMOUNT OF AWAR	D	10. DATE OF AWARD				
\$ 3,453,006		06/26/2018				
11. SECOND YEAR'S B	UDGET	12. SECOND YEAR'S BUDGET	AMOUNT			
13. THIRD YEAR'S BU	DGET PERIOD	14. THIRD YEAR'S BUDGET AMOUNT				
15. SUMMARY DESCR	IPTION OF PROJECT (See instruction on reverse)	1				

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following program areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation) and 8) mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.

This State JAG award will be used to support criminal justice initiatives that fall under one or more of the allowable program areas above. Funded programs or

OJP FORM 4000/2 (REV. 4-88)

initiatives may include multijurisdictional drug and gang task forces, crime prevention and domestic violence programs, courts, corrections, treatment, justice information sharing initiatives, or other programs aimed at reducing crime and/or enhancing public/officer safety.

NCA/NCF

Exhibit D

New Jersey Byrne JAG Award Letter



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

June 26, 2018

The Honorable Christopher S. Porrino New Jersey Department of Law and Public Safety 25 Market Street P.0. Box 081 Trenton, NJ 08625-0081

Dear Attorney General Porrino:

On behalf of Attorney General Jefferson Sessions III, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 17 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - State Solicitation in the amount of \$4,047,274 for New Jersey Department of Law and Public Safety.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Jennifer Lewis, Program Manager at (202) 305-8064; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

R 6

Alan R. Hanson Principal Deputy Assistant Attorney General

Enclosures



Case 1:18-cv-06471 Document 1-4 Filed 07/18/18 Page 3 of 29

OFFICE FOR CIVIL RIGHTS

Office of Justice Programs U.S. Department of Justice 810 7th Street, NW Washington, DC 20531

Tel: (202) 307-0690 TTY: (202) 307-2027 E-mail: askOCR@usdoj.gov Website: www.ojp.usdoj.gov/ocr

June 26, 2018

The Honorable Christopher S. Porrino New Jersey Department of Law and Public Safety 25 Market Street P.0. Box 081 Trenton, NJ 08625-0081

Dear Attorney General Porrino:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at http://ojp.gov/about/ocr/vawafaqs.htm.

Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website http://www.lep.gov.

Ensuring Equal Treatment for Faith-Based Organizations

The DOJ regulation, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Using Arrest and Conviction Records in Making Employment Decisions

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at http://www.ojp.usdoj.gov//about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOPs) (see below).

Complying with the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEOP (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), .205(c)(5)).

Meeting the EEOP Requirement

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at http://www.ojp.usdoj.gov/about/ocr/eeop.htm. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOsubmisson@usdoj.gov.

Meeting the Requirement to Submit Findings of Discrimination

If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

Ensuring the Compliance of Subrecipients

SAAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see http://www.ojp.usdoj.gov/funding/other_requirements.htm.

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,

Minh 2. also

Michael L. Alston Director

cc: Grant Manager Financial Analyst

STUTENT OF TOP TO	U.S. Depart Office of Ju Bureau o	stice Prog	rams	ice	Grant		PAGE	1 OF 21
		00 (T 1 1)	7. 0.1)			V 0078		
New Jersey Department of Law and Public Safety			 AWARD NUMBER: 2017-DJ-B PROJECT PERIOD: FROM BUDGET PERIOD: FROM 	10/01/2016	TO 09/30/2 TO 09/30/2			
					6. AWARD DATE 06/26/2018	7	. ACTION	
2a. GRANTEE IRS/ 216006929					8. SUPPLEMENT NUMBER 00		Ini	tial
2b. GRANTEE DUN 806656781	IS NO.				9. PREVIOUS AWARD AMOUNT			\$ 0
3. PROJECT TITLE FY17 Edward By		tice Assistar	nce Grant (IAG) Program	10. AMOUNT OF THIS AWARD	\$ 4,047	,274	
FTT7 Edward By	me memoriai jus	lice Assista	ice Ofant (JAC) i iografii	11. TOTAL AWARD	\$ 4,047	\$ 4,047,274	
13. STATUTORY A This project is suj including subpart	pported under FY 1 of part E (codif	17(BJA - JA ied at 42 U.S	S.C. 3750 - 375	58); see also 28	I of Pub. L. No. 90-351 (generally codi U.S.C. 530C(a).	fied at 42 U.S.	C. 3711 - 3797f	f-5),
16.738 - Edward				,				
15. METHOD OF PA GPRS 16. TYPED NAME Alan R. Hanson Principal Deputy	AGENCY AND TITLE OF A				GRANTI 18. TYPED NAME AND TITLE OF Christopher S. Porrino Attorney General	EE ACCEPTAI AUTHORIZEI		FFICIAL
17. SIGNATURE OF	FAPPROVING C		~		19. SIGNATURE OF AUTHORIZED) RECIPIENT (OFFICIAL	19A. DATE
				AGENCY	USE ONLY			
20. ACCOUNTING	CLASSIFICATIO	ON CODES			21. SDJUGT1557			
FISCAL FUND YEAR CODE	BUD. ACT. OFC.	DIV. REG.	SUB. POMS	AMOUNT				
Х В	DJ 80	00	00	4047274				

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

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CONTRACTOR DE LA CONTRACT	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 2 OF 21			
PROJECT NUMBER	2017-DJ-BX-0078	AWARD DATE 06/26/2018				
	SPECIAL	CONDITIONS				
1. Requi	irements of the award; remedies for non-co	ompliance or for materially false statements				
subm		ements of the award. Compliance with any certifelate to conduct during the period of performance				
condi may r award	tion incorporated by reference below, or a result in the Office of Justice Programs ("C A mong other things, the OJP may with	e award requirements whether a condition set or certification or assurance related to conduct durin DJP") taking appropriate action with respect to the hold award funds, disallow costs, or suspend or ter DJP, also may take other legal action as appropriat	ng the award period recipient and the rminate the award.			
or om and/o	ission of a material fact) may be the subject	tement to the federal government related to this a ct of criminal prosecution (including under 18 U. mposition of civil penalties and administrative ren 730 and 3801-3812).	S.C. 1001 and/or 1621,			
shall	first be applied with a limited construction instead, that the provision is utterly invalid	ward be held to be invalid or unenforceable by its so as to give it the maximum effect permitted by d or -unenforceable, such provision shall be deem	law. Should it be			
2. Appli	cability of Part 200 Uniform Requirement	S				
and su		st Principles, and Audit Requirements in 2 C.F.R.) (together, the "Part 200 Uniform Requirements"				
suppl Decer (regar	The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2017 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) are obligated on or after the acceptance date of this FY 2017 award.					
		200 Uniform Requirements as they relate to OJP .gov/funding/Part200UniformRequirements.htm.	awards and subawards			
that n		s from documents or other materials prepared or one way from, the provisions of the Part 200 Unifortation.				
3. Comp	pliance with DOJ Grants Financial Guide					
DOJ		rants Financial Guide as posted on the OJP websit //ojp.gov/financialguide/DOJ/index.htm), includin ance.				

STUDIENT OF A	Correct 1	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 3 OF 21
PROJECT NU	JMBER	2017-DJ-BX-0078	AWARD DATE 06/26/2018	
		SPECIAL	CONDITIONS	
4.	Both t compl recipie this co In the FPOC calence POC), compl A list purpos includ The recompl	red training for Point of Contact and all Fi he Point of Contact (POC) and all Financi leted an "OJP financial management and g ent's acceptance of the award. Successful ondition. event that either the POC or an FPOC for must have successfully completed an "OJ lar days after (1) the date of OJP's appro- o, or (2) the date the POC enters informatio letion of such a training on or after January of OJP trainings that OJP will consider "Co ses of this condition is available at https:// le a session on grant fraud prevention and be ecipient should anticipate that OJP will im-	nancial Points of Contact al Points of Contact (FPOCs) for this award mu rant administration training" by 120 days after t completion of such a training on or after Januar this award changes during the period of perform IP financial management and grant administration val of the "Change Grantee Contact" GAN (in the n on the new FPOC in GMS (in the case of a new y 1, 2015, will satisfy this condition. DJP financial management and grant administration www.ojp.gov/training/fmts.htm. All trainings t	he date of the y 1, 2015, will satisfy nance, the new POC or on training" by 120 he case of a new tw FPOC). Successful ion training" for hat satisfy this condition e recipient fails to
5.	A reci indire OJP in Unifor by the	ct cost rate described in 2 C.F.R. 200.414(n writing of both its eligibility and its elect	niform Requirements and other applicable law to f), and that elects to use the "de minimis" indire- cion, and must comply with all associated requir may be applied only to modified total direct cos	ect cost rate, must advise ements in the Part 200
	funds of tho idention award award	during the period of performance for this a se other federal awards have been, are bein cal cost items for which funds are provided ing agency (OJP or OVW, as appropriate)	s of federal funds, or if the recipient receives any award, the recipient promptly must determine w ng, or are to be used (in whole or in part) for on d under this award. If so, the recipient must pro in writing of the potential duplication, and, if s ion or change-of-project-scope grant adjustment ng.	hether funds from any e or more of the omptly notify the DOJ o requested by the DOJ

OP CONTRACTOR	ALL STATES	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 4 OF 21
PROJECT NU	MBER	2017-DJ-BX-0078	AWARD DATE	06/26/2018	
		SPECIAL	CONDITIONS		
7.	Requir	ements related to System for Award Mar		versal Identifier Requirements	
	current as well	cipient must comply with applicable required accessible at https://www.sam.gov/. The as maintaining the currency of information cipient also must comply with applicable	This includes appl ion in SAM.	icable requirements regarding re	egistration with SAM,
		er "subgrantees"), including restrictions nt) the unique entity identifier required for			rovide (to the
	The de at https	tails of the recipient's obligations related s://ojp.gov/funding/Explore/SAM.htm (A ier Requirements), and are incorporated b	to SAM and to un ward condition:	nique entity identifiers are poste System for Award Management	
		ondition does not apply to an award to an siness or non-profit organization that he			erson (i.e., unrelated to
8.	All sut	pawards ("subgrants") must have specific	federal authoriza	tion	
	authori	cipient, and any subrecipient ("subgrante ization of any subaward. This condition strative requirements OJP considers a act").	applies to agreem	ents that for purposes of feder	al grants
	https://	tails of the requirement for authorization (ojp.gov/funding/Explore/SubawardAuthor) c federal authorization), and are incorpor	orization.htm (Av	vard condition: All subawards (
9.		c post-award approval required to use a \$150,000	noncompetitive ap	pproach in any procurement con	tract that would
	specifi Simpli	cipient, and any subrecipient ("subgrante c advance approval to use a noncompetit fied Acquisition Threshold (currently, \$1 grants administrative requirements OJ ward).	ive approach in an 50,000). This co	ny procurement contract that wo ndition applies to agreements th	uld exceed the at for purposes of
	an OJP (Award	tails of the requirement for advance appr award are posted on the OJP web site at d condition: Specific post-award approva tract would exceed \$150,000)), and are in	t https://ojp.gov/fu al required to use	inding/Explore/Noncompetitive a noncompetitive approach in a	Procurement.htm

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STATENT OF T	A DATA	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 5 OF 21
PROJECT NU	JMBER	2017-DJ-BX-0078	AWARD DATE	06/26/2018	
		SPECIAL	CONDITIONS		
10.		rements pertaining to prohibited conduct a uthority to terminate award)	related to trafficki	ng in persons (including reporting	ng requirements and
	require part of of the s The de OJP w conduc	cipient, and any subrecipient ("subgranted ements to report allegations) pertaining to recipients, subrecipients ("subgrantees") recipient or of any subrecipient. etails of the recipient's obligations related eb site at https://ojp.gov/funding/Explore ct by recipients and subrecipients related	o prohibited condu , or individuals de to prohibited condu /ProhibitedCondu to trafficking in po	ct related to the trafficking of per fined (for purposes of this cond duct related to trafficking in per ct-Trafficking.htm (Award cond ersons (including reporting requ	ersons, whether on the ition) as "employees" sons are posted on the lition: Prohibited
11.		ity to terminate award)), and are incorpor liance with applicable rules regarding app events	·		etings, trainings, and
	policie applica	cipient, and any subrecipient ("subgranter es, and official DOJ guidance (including s able) governing the use of federal funds f ing the provision of food and/or beverage	specific cost limits or expenses relate	s, prior approval and reporting red to conferences (as that term is	equirements, where defined by DOJ),
		nation on the pertinent DOJ definition of a Financial Guide (currently, as section 3. ").			
12.	Requir	rement for data on performance and effec	tiveness under the	award	
	The da solicita	cipient must collect and maintain data that ata must be provided to OJP in the manne ation or other applicable written guidance mance and Results Act (GPRA) and the C	r (including within . Data collection	n the timeframes) specified by C supports compliance with the G	OJP in the program overnment
13.	OJP T	raining Guiding Principles			
	deliver	aining or training materials that the recipi rs with OJP award funds must adhere to the ble at https://ojp.gov/funding/ojptrainingg	he OJP Training O	Buiding Principles for Grantees	
14.	Effect	of failure to address audit issues			
	award does n Requir	cipient understands and agrees that the D funds, or may impose other related requir ot satisfactorily and promptly address out rements (or by the terms of this award), or gations, or reviews of DOJ awards.	rements, if (as det tstanding issues fr	ermined by the DOJ awarding a om audits required by the Part 2	gency) the recipient 00 Uniform
15.	Potent	ial imposition of additional requirements			
	(OJP o	cipient agrees to comply with any addition or OVW, as appropriate) during the period or purposes of the DOJ high-risk grantee	d of performance f		

SULEN OF	A CONTRACT OF A	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 6 OF 21			
PROJECT N	JMBER	2017-DJ-BX-0078	AWARD DATE 06/26/2018				
		SPECIAL	CONDITIONS				
16.	Compl		civil rights and nondiscrimination - 28 C.F.R. Par	rt 42			
	C.F.R.		e") at any tier, must comply with all applicable re- cable requirements in Subpart E of 28 C.F.R. Part				
17.	Compl	iance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Pa	rt 54			
			e") at any tier, must comply with all applicable re- on on the basis of sex in certain "education progra				
18.	Compl	iance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Pa	rt 38			
	C.F.R.	Part 38, specifically including any applic	e") at any tier, must comply with all applicable re- cable requirements regarding written notice to pro 8 C.F.R., a DOJ regulation, was amended effective	gram beneficiaries and			
	religio Part 38 engage	n, a religious belief, a refusal to hold a rel 3 also sets out rules and requirements that	rules that prohibit specific forms of discrimination ligious belief, or refusal to attend or participate in pertain to recipient and subrecipient ("subgranted es, as well as rules and requirements that pertain ganizations.	a religious practice. ") organizations that			
	availał	ole via the Electronic Code of Federal Reg	ships with Faith-Based and Other Neighborhood gulations (currently accessible at https://www.ecf 28-Judicial Administration, Chapter 1, Part 38, ur	r.gov/cgi-			
19.	Restric	ctions on "lobbying"					
	subrec modifi may be	ipient ("subgrantee") at any tier, either dir cation, or adoption of any law, regulation	nds awarded by OJP may not be used by the recip rectly or indirectly, to support or oppose the enact a, or policy, at any level of government. See 18 U te specifically authorizes certain activities that oth	ment, repeal, S.C. 1913. (There			
	Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.						
	fall wi		ular use of federal funds by a recipient (or subrec ecipient is to contact OJP for guidance, and may r				

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, 1 1 1	Compli The rec federal provisio https://c Should fall witl	ance with general appropriations ipient, and any subrecipient ("sul funds set out in federal appropria ons" in the Consolidated Appropr ojp.gov/funding/Explore/FY17Ap a question arise as to whether a p nin the scope of an appropriation	bgrantee") at any tier, n ations statutes. Pertine riations Act, 2017, are ppropriationsRestrictio	use of federal funds (FY 201 nust comply with all applicable nt restrictions, including from	le restrictions on the use of
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]]]	federal provisio https://c Should fall with	funds set out in federal appropria ons" in the Consolidated Appropri ojp.gov/funding/Explore/FY17Ap a question arise as to whether a p nin the scope of an appropriation	ations statutes. Pertine riations Act, 2017, are ppropriationsRestrictio	nt restrictions, including from	
i		l without the express prior written	s-law restriction, the re	ns.htm, and are incorporated b l funds by a recipient (or a sub	by reference here.
	Reporti	ng potential fraud, waste, and ab		nduct	
	The rec General person l commit miscono Potentia OIG by 950 Per	ipient, and any subrecipients ("su (OIG) any credible evidence that has, in connection with funds und ted a criminal or civil violation of	ubgrantees") at any tien at a principal, employe der this award (1) sub of laws pertaining to fra duct involving or relati the Inspector General, 4706, Washington, DC	, must promptly refer to the D e, agent, subrecipient, contract omitted a claim that violates th aud, conflict of interest, briber ng to funds under this award s U.S. Department of Justice, Ir 2 20530; (2) e-mail to: oig.hotl	tor, subcontractor, or other e False Claims Act; or (2) y, gratuity, or similar should be reported to the investigations Division, ine@usdoj.gov; and/or (3)
	. ,	nal information is available from	the DOJ OIG website	at https://www.usdoj.gov/oig	

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PROJECT N	UMBER	2017-DJ-BX-0078	AWARD DATE	06/26/2018					
		SPECIAL	CONDITIONS						
22.	Restrie	ctions and certifications regarding non-di	sclosure agreeme	nts and related matters					
	subcon agreen accord depart The for require sensiti	cipient or subrecipient ("subgrantee") und ntract with any funds under this award, m nent or statement that prohibits or otherw lance with law) of waste, fraud, or abuse ment or agency authorized to receive suc pregoing is not intended, and shall not be ements applicable to Standard Form 312 ve compartmented information), or any of sclosure of classified information.	hay require any en vise restricts, or put to an investigative th information. understood by the (which relates to o	nployee or contractor to sign an irports to prohibit or restrict, the e or law enforcement representa e agency making this award, to c classified information), Form 44	internal confidentiality reporting (in tive of a federal contravene 14 (which relates to				
		accepting this award, the recipient							
	a. rep or con	resents that it neither requires nor has req tractors that currently prohibit or otherwi ctors from reporting waste, fraud, or abus	ise currently restri	ct (or purport to prohibit or restr					
	agreer or abu writter	tifies that, if it learns or is notified that it nents or statements that prohibit or othery se as described above, it will immediately n notification to the federal agency makin tions only if expressly authorized to do se	wise restrict (or pr y stop any further ng this award, and	urport to prohibit or restrict), rep obligations of award funds, will	orting of waste, fraud, l provide prompt				
	2. If the both	he recipient does or is authorized under the	his award to make	e subawards ("subgrants"), procu	irement contracts, or				
	a. it represents that								
	(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and								
	(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and								
	under or othe immed the fed	ertifies that, if it learns or is notified that this award is or has been requiring its em erwise restrict (or purport to prohibit or re liately stop any further obligations of awa leral agency making this award, and will ized to do so by that agency.	ployees or contra estrict), reporting ard funds to or by	ctors to execute agreements or s of waste, fraud, or abuse as desc that entity, will provide prompt	tatements that prohibit cribed above, it will written notification to				

CALL STORE	Contraction of the second	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 9 OF 21
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		SPECIAL	CONDITIONS		
23.	Compl	iance with 41 U.S.C. 4712 (including pro	ohibitions on repri	sal; notice to employees)	
	U.S.C. employ gross v health The rea	cipient (and any subrecipient at any tier) = 4712, including all applicable provisions yee as reprisal for the employee's disclosu vaste of federal funds, an abuse of author or safety, or a violation of law, rule, or re- cipient also must inform its employees, in yee rights and remedies under 41 U.S.C.	s that prohibit, un- ure of information ity relating to a fe gulation related t n writing (and in t	ler specified circumstances, disc related to gross mismanagemen deral grant, a substantial and sp o a federal grant.	crimination against an nt of a federal grant, a ecific danger to public
	Should	l a question arise as to the applicability of t the DOJ awarding agency (OJP or OVW	f the provisions of		he recipient is to
24.	Encou	ragement of policies to ban text messagin	g while driving		
	51225 bannin award,	nt to Executive Order 13513, "Federal Le (October 1, 2009), DOJ encourages recip g employees from text messaging while o and to establish workplace safety policies s caused by distracted drivers.	bients and subreci driving any vehic	pients ("subgrantees") to adopt a e during the course of performing	and enforce policies ng work funded by this
25.	Coope	rating with OJP Monitoring			
	proced Officer recipie docum deadlin result i restrict	cipient agrees to cooperate with OJP mor- ures, and to cooperate with OJP (includir r (OCFO)) requests related to such monito nt agrees to provide to OJP all document entation related to any subawards made us hes set by OJP for providing the requested n actions that affect the recipient's DOJ actions on the recipient's access to award fu- nt as a DOJ High Risk grantee; or termin	ng the grant mana oring, including r ation necessary founder this award. d documents. Fai wards, including, nds; referral to th	ger for this award and the Office equests related to desk reviews a or OJP to complete its monitorin Further, the recipient agrees to a lure to cooperate with OJP's mo but not limited to: withholdings e DOJ OIG for audit review; des	e of Chief Financial and/or site visits. The g tasks, including abide by reasonable nitoring activities may s and/or other
26.	FFAT	A reporting: Subawards and executive co	ompensation		
	more a execut obligat on the	cipient must comply with applicable requ nd, in certain circumstances, to report the ives of the recipient and first-tier subrecip tions, which derive from the Federal Fund OJP web site at https://ojp.gov/funding/E tive Compensation), and are incorporated	e names and total pients (first-tier "s ding Accountabili Explore/FFATA.h	compensation of the five most h ubgrantees") of award funds. T ty and Transparency Act of 200 tm (Award condition: Reporting	ighly compensated he details of recipient 6 (FFATA), are posted
	award	ondition, including its reporting requirem made to an individual who received the a zation that he or she may own or operate	ward as a natural	person (i.e., unrelated to any bu	

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	SPECIAL	CONDITIONS	
27.	Use of program income		
		iform Requirements) must be used in accordance ncome earnings and expenditures both must be r	
28.	Justice Information Sharing		
	public safety community, the recipient (and any Information Sharing Initiative (DOJ's Global) g shall conform to the Global Standards Package https://it.ojp.gov/gsp_grantcondition. The recipi	able interoperability among disparate systems act y subrecipient at any tier) must comply with DOJ uidelines and recommendations for this particula (GSP) and all constituent elements, where applic ient shall document planned approaches to inform e privacy policy that protects shared information, recommended.	I's Global Justice ar award. The recipient vable, as described at: nation sharing and
29.	Avoidance of duplication of networks		
	sharing systems which involve interstate connect possible, existing networks as the communication	estems in any initiatives funded by BJA for law est ctivity between jurisdictions, such systems shall of on backbone to achieve interstate connectivity, u requirement would not be cost effective or would em.	employ, to the extent nless the recipient can
30.	. Compliance with 28 C.F.R. Part 23		
	any subrecipient at any tier) must comply with 2 OJP determines this regulation to be applicable. its discretion, perform audits of the system, as p	tem funded or supported by funds under this awa 28 C.F.R. Part 23, Criminal Intelligence Systems Should OJP determine 28 C.F.R. Part 23 to be a per the regulation. Should any violation of 28 C.F. c)-(d). The recipient may not satisfy such a fine	Operating Policies, if pplicable, OJP may, at .R. Part 23 occur, the
31.	Protection of human research subjects		
		must comply with the requirements of 28 C.F.R. n of human research subjects, including obtainme ject informed consent.	
32.	Confidentiality of data		
	and 28 C.F.R. Part 22 that are applicable to colle	must comply with all confidentiality requirement ection, use, and revelation of data or information mit a Privacy Certificate that is in accord with re 23.	. The recipient further

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	SPECIAL	CONDITIONS			
33.					
	The recipient must verify its Point of Contact(POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.				
34.	34. Law enforcement task forces - required training				
	Within 120 days of award acceptance, each current member of a law enforcement task force funded with award funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, must complete required online (internet-based) task force training. Additionally, all future task force members must complete this training once during the period of performance for this award, or once every four years if multiple OJP awards include this requirement.				
	The required training is available free of charge online through the BJA-funded Center for Task Force Integrity and Leadership (www.ctfli.org). The training addresses task force effectiveness, as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. If award funds are used to support a task force, the recipient must compile and maintain a task force personnel roster, along with course completion certificates.				
	Additional information regarding the training is available through BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).				
35.	35. Required attendance at BJA-sponsored events				
	The recipient (and its subrecipients at any tier) must participate in BJA-sponsored training events, technical assistance events, or conferences held by BJA or its designees, upon BJA's request.				
36.	36. Justification of consultant rate				
Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A deta justification must be submitted to and approved by the OJP program office prior to obligation or expendit funds.					

STRENT OR OF	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 12 OF 21		
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	SPECIAL	CONDITIONS			
37.	Compliance with National Environmental Polic	y Act and related statutes			
	Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA. The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are:				
	a. New construction;				
b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;					
	c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;				
	 d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories. The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at https://bja.gov/Funding/nepa.html, for programs relating to methamphetamine laboratory operations. 				
	subrecipients' existing programs or activities that	isting Programs or Activities: For any of the reci at will be funded by these award funds, the recipie A in any preparation by BJA of a national or progr	ent, upon specific		
38.	Establishment of trust fund				
	required to establish a trust fund account. (The t including any interest, may not be used to pay d Edward Byrne Memorial Justice Assistance Gra funds in the trust fund (including any interest ea	e, the recipient (or a subrecipient, with respect to rust fund may or may not be an interest-bearing a lebts or expenses incurred by other activities beyo ant Program (JAG). The recipient also agrees to of urned) during the period of performance for the av nexpended funds, including interest earned, must	account.) The fund, nd the scope of the bligate the award ward and expend		

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		SPECIAI	L CONDITIONS		
39.	Prohib	ition on use of award funds for match ur	nder BVP program		
		unds may be used to purchase vests for a sulletproof Vest Partnership (BVP) progr		may not be used as the 50% i	match for purposes of the
40. Certification of body armor "mandatory wear" policies					
	with fu certific resistat this aw	cipient agrees to submit a signed certific ands from this award have a written "ma cations on file for any subrecipients plan nt body armor purchases. This policy muy ard may be used by an agency for body han it be a mandatory wear policy for all	ndatory wear" polic ning to utilize funds ust be in place for at armor. There are no	y in effect. The recipient mu s from this award for ballistic least all uniformed officers o requirements regarding the	st keep signed c-resistant and stab- before any funds from
41.	Body armor - compliance with NIJ standards				
	level, i comply Armor Americ	ic-resistant and stab-resistant body armo make or model, from any distributor or n y with applicable National Institute of Ju Model List (https://nij.gov/). In addition can-made. The latest NIJ standard inforr pages/safety-initiative.aspx.	nanufacturer, as lon astice ballistic or sta n, ballistic-resistant	g as the body armor has been b standards and is listed on t and stab-resistant body armo	n tested and found to he NIJ Compliant Body or purchased must be
42.	Required monitoring of subawards				
	award subaw specifi	cipient must monitor subawards under th conditions, and the DOJ Grants Financia ard. Among other things, the recipient is c outcomes and benefits attributable to u t, documentation of its policies and proc	al Guide, and must is responsible for ove use of award funds b	nclude the applicable condit ersight of subrecipient spendi by subrecipients. The recipien	ions of this award in any ing and monitoring of nt agrees to submit, upon
43.	Reporting requirements				
	OJP's Performeasur Perform reporti	cipient must submit quarterly Federal Fi GMS (https://grants.ojp.usdoj.gov). Con mance and Results Act (GPRA) and the re the results of its work. The recipient r mance Measurement Tool (PMT) websit ng and other JAG requirements, refer to eports by established deadlines may resu	sistent with the Dep GPRA Modernizati must submit quarter the (www.bjaperform the JAG reporting	partment's responsibilities un on Act of 2010, the recipient ly performance metrics repo- nancetools.org). For more det requirements webpage. Failu	der the Government must provide data that rts through BJA's tailed information on re to submit required
44.	Requir	ed data on law enforcement agency trair	ning		
44.	Any law enforcement agency receiving direct or sub-awarded funding from this JAG award must submit quarterly accountability metrics data related to training that officers have received on the use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.				

STATENTORY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 14 OF 21		
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45.	Prohibited Expenditures List				
	Award funds may not be used for items that are listed on the Prohibited Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time. The Prohibited Expenditure List may be accessed here: https://www.bja.gov/funding/JAGControlledPurchaseList.pdf				
46.	6. Controlled expenditures - prior written approval required				
	Award funds may not be used for items that are listed on the Controlled Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time, without explicit written prior approval from BJA. The Controlled Expenditure List, and instructions on how to request approval for purchase or acquisitions are set out at https://www.bja.gov/funding/JAGControlledPurchaseList.pdf				
47.	Controlled expenditures - incident reporting				
	If an agency uses award funds to purchase or acquire any item on the Controlled Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time, the agency must collect and retain (for at least 3 years) certain information about the use of (1) any federally-acquired Controlled Equipment in the agency's inventory, and (2) any other controlled equipment in the same category as the federally-acquired controlled equipment in the agency's inventory, regardless of source; and the agency must make that information available to BJA upon request. Details about what information must be collected and retained are set out at https://ojp.gov/docs/LE-Equipment-WG-Final-Report.pdf.				
48.	8. Sale of items on Controlled Expenditure List				
	Notwithstanding the provision of the Part 200 Uniform Requirements set out at 2 C.F.R. 200.313, no equipment listed on the Controlled Expenditure List that is purchased with award funds may be transferred or sold to a third party, except as described below:				
	a. Agencies may transfer or sell any controlled equipment, except riot helmets and riot shields, to a Law Enforcement Agency (LEA) after obtaining prior written approval from BJA. As a condition of that approval, the acquiring LEA will be required to submit information and certifications to BJA as if it were requesting approval to use award funds for the initial purchase of items on the Controlled Expenditure List.				
	b. Agencies may not transfer or sell any riot helmets or riot shields purchased under this award.				
	exception of fixed wing aircraft, rotary wing air sale is finalized, the agency must obtain prior w	olled Equipment purchased under this award to no craft, and command and control vehicles. Before written approval from BJA. All law enforcement-re and all law enforcement insignias and identifying	any such transfer or elated and other		
	The recipient must notify BJA prior to the dispo award funds, and must abide by any applicable	osal of any items on the Controlled Expenditure L laws (including regulations) in such disposal.	ist purchased with		
49.	Prohibited or controlled expenditures - Effect of	f failure to comply			
	Failure to comply with an award condition relat further approvals of controlled expenditures und	ed to prohibited or controlled expenditures may reder this or other federal awards.	esult in denial of any		

STUENT OF IT	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 15 OF 21
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	SPECIAL	CONDITIONS	
50.	Controlled expenditures - Standards Consistent with recommendation 2.1 of Executive equipment with award funds must adopt robust a Standards and Specific Controlled Equipment St Community Policing; (b) Constitutional Policing Controlled Equipment Standards includes policies (b) Supervision of Use; (c) Effectiveness Evalua Considerations. Upon OJP's request, the recipier Controlled Equipment Standards, and any related	and specific written policies and protocols gove tandards. General Policing Standards includes p g; and (c) Community Input and Impact Consid es specifically related to (a) Appropriate Use o tion; (d) Auditing and Accountability; and (e) nt must provide a copy of the General Policing	erning General Policing policies on (a) lerations. Specific f Controlled Equipment; Transparency and Notice
51.	Authorization to obligate (federal) award funds to The recipient may obligate (federal) award funds the first day of the period of performance for the project costs using non-federal funds, but any su minimum (1) the recipient makes a valid accep removed by OJP (via a Grant Adjustment Notice precludes the recipient from obligating, expendit condition is removed.)	s only after the recipient makes a valid accepta e award (October 1, 2016), however, the recipient ich project costs are incurred at the recipient's r otance of the award, and (2) all applicable with e). (A withholding condition is a condition in t	nce of the award. As of ent may choose to incur isk until, at a holding conditions are he award document that
	Except to the extent (if any) that an award condi risk," if and when the recipient makes a valid acc condition through a Grant Adjustment Notice, th itself for project costs incurred "at-risk" earlier d award acceptance or prior to removal of an appli otherwise are allowable costs under the award.	ceptance of this award and OJP removes each a ne recipient is authorized to obligate (federal) a luring the period of performance (such as proje icable withholding condition), provided that the	applicable withholding ward funds to reimburse oct costs incurred prior to ose project costs
	Nothing in this condition shall be understood to funds to "supplant" State or local funds in violat the State or local government) that federal funds absence of federal funds, be made available for l	ion of the recipient's certification (executed by swill be used to increase the amounts of such for	the chief executive of
52.	"Certification of Compliance with 8 U.S.C. 1373	3" required for valid award acceptance by a "St	ate"
	In order validly to accept this award, the prospec with 8 U.S.C. 1373" (executed by the chief legal submitted to OJP together with the fully-execute day the signed award document is submitted to O invalid.	l officer of the State). Unless that executed cer ed award document, or (2) is uploaded in OJP's	tification either (1) is GMS no later than the
	If an initial award-acceptance submission by the certification regarding 8 U.S.C. 1373, the State r or after the date of that certification.		

C LUSTICE PLAN	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 16 OF 21
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53. Ongo	SPECIAL bing compliance with 8 U.S.C. 1373 is requ	CONDITIONS ired	
activ gove from (2) a regar restri 2. Ce "pub exect appro recip "pub exect	ity" of any subrecipient at any tier), through rument entity, -agency, or -official may pro- sending or receiving information regarding government entity or -agency from sending ding immigration status as described in 8 U ction) that violates this condition is an "info- rtifications from subrecipients. The recipient is the by the chief legal officer of the jurisdic opriate form available at https://ojp.gov/fun ient must require that no subrecipient (at ar lic" institution of higher education, unless i	ded in whole or part under this award (including a nout the period of performance for the award, no shibit or in any way restrict (1) any government g citizenship or immigration status as described in g, requesting or receiving, maintaining, or exchan J.S.C. 1373(b). For purposes of this award, any p ormation-communication restriction." ent may not make a subaward to a State or local g t first obtains a certification of compliance with 8 ction or institution that would receive the subaward ding/Explore/SampleCertifications-8USC1373.ht ny tier) may make a further subaward to a State or t first obtains a certification of compliance with 8 ction or institution that would receive the further se	State or local entity or -official 8 U.S.C. 1373(a); or ging information rohibition (or overnment or a U.S.C. 1373, properly rd, using the m. Similarly, the local government or a U.S.C. 1373, properly
	e recipient's monitoring responsibilities incondition.	clude monitoring of subrecipient compliance with	the requirements of
exter autho subre	t that such costs are not reimbursed under a brized reimbursements) for the reasonable, i	tirements is an authorized and priority purpose of any other federal program, award funds may be of necessary, and allocable costs (if any) that the rec overnment or a "public" institution of higher educa	bligated (including for ipient, or any
5. Ru	les of Construction		
A. Fo	or purposes of this condition:		
	State" and "local government" include any a ation or any Indian tribe.	agency or other entity thereof, but not any institut	ion of higher
	"public" institution of higher education is rnment.	one that is owned, controlled, or directly funded b	by a State or local
(3) "]	Program or activity" means what it means u	under title VI of the Civil Rights Act of 1964 (see	42 U.S.C. 2000d-4a).
Imm mear	grant Responsibility Act of 1996); and terr	or purposes of 8 U.S.C. 1373 (Illegal Immigration ns that are defined in 8 U.S.C. 1101 (Immigration except that the term "State" also shall include Amo	and Nationality Act)
Func		enced in) 8 U.S.C. 1551 note ("Abolition and Naturalization Service" in 8 U.S.C. 1373 are to b meland Security (DHS).	
State		to authorize or require any recipient, any subreci on of higher education, or any other entity (or ind s or nondiscrimination law.	

S CONTRACTOR	A SUPE	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 17 OF 21
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			e meaning or scope of this condition should be d	irected to OJP, before
54.	Author	rity to obligate award funds contingent on	a compliance with 8 U.S.C. 1373; unallowable c	osts; obligation to notify
	1. If the	he recipient is a State or local government	t	
	recipie	ent (or of any subrecipient at any tier that education) that is funded in whole or in p	if, at the time of the obligation, the "program or is a either a State or unit of local government or part with award funds is subject to any "informa	a "public" institution of
	reimbu subrec	urse itself if at the time it incurs such co- ipient at any tier that is a either a State or ould be reimbursed in whole or in part wi	it incurs "at risk," the recipient may not obligat osts the "program or activity" of the recipient unit of local government or a "public" institution th award funds was subject to any "information-	(or of any on of higher education)
	by the		ent shall be considered, for all purposes, to be a ecipient requests the drawdown, the recipient an S.C. 1373.	
	with av recipie educat subrec promp	ward conditions or otherwise, has credible ent, or of any subrecipient at any tier that i ion, may be subject to any "information-c ipient that is either a State or a local gove	writing) if the recipient, from its requisite monit e evidence that indicates that the funded "progra is either a State or a local government or a "pub communication restriction." In addition, any sub ernment or a "public" institution of higher educa ubaward, should the subrecipient such credible	m or activity" of the lic" institution of higher award (at any tier) to a tion must require
	higher "progr	education must provide that the subrecip	that is either a State or a local government or a lient may not obligate award funds if, at the time any further such subrecipient at any tier) that is ation-communication restriction."	of the obligation, the
	circum transite funds t such d monite	nstances (e.g., a small amount of award fu ory non-compliance, which was unknown that, under this condition, may not be made etermination, DOJ will give great weight	DOJ to the contrary, based upon a finding by DO inds obligated by the recipient at the time of a su in to the recipient despite diligent monitoring), are de shall be unallowable costs for purposes of this to evidence submitted by the recipient that demini- requirements set out in the award condition ent	brecipient's minor and by obligations of award s award. In making any onstrates diligent
	4. Rul	les of Construction		
		r purposes of this condition "information- ion entitled "Ongoing compliance with 8	communication restriction" has the meaning set U.S.C. 1373 is required."	out in the award
	B. Bo			

CONTRACTOR OF THE	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistan		CONTINUATION SHEET Grant	PAGE 18 OF 21
PROJECT NUME	BER 2017-DJ-BX-0078	AWARD DATE	06/26/2018	
	SPI	ECIAL CONDITIONS		
55. R	equired State-level rules or practices rel	lated to aliens; allowable	costs	
	he following provisions apply to the rec by State-government subrecipient at any			
1.	Requirements			
	7 With respect to the "program or activity" accepts this award, and throughout the re			f the date the recipient
ag	A State statute, or a State rule, -regula gents of the United States acting under correctional facility for the purpose of pe gents to be) aliens and to inquire as to su	color of federal law in fac ermitting such agents to m	ct are given to access any Stat neet with individuals who are	e (or State-contracted) (or are believed by such
w In in	A State statute, or a State rule, -regula hen a State (or State-contracted) correc nmigration and Nationality Act that see such facility, then such facility will ho ondition) provide the requested notice	tional facility receives from the state of the state of t	om DHS a formal written required scheduled release date and time	uest authorized by the ne for a particular alien
2.	Monitoring			
	he recipient's monitoring responsibilitie ondition.	es include monitoring of s	subrecipient compliance with	the requirements of this
3.	Allowable costs			
ar re st	ompliance with these requirements is an e not reimbursed under any other federa imbursements) for the reasonable, nece atutes, rules, regulations, policies, and p ara. 1.A. above, and (3) honoring any re	al program, award funds essary, and allocable costs practices to satisfy this co	may be obligated (including t s (if any) of (1) developing a ondition, and (2) permitting ac	for authorized and putting into place ccess as described in
4.	Rules of construction			
А	. For purposes of this condition			
) the term "alien" means what it means 101(a)(3)).	under section 101 of the	Immigration and Nationality	Act (see 8 U.S.C.
) the term "correctional facility" means reets Act of 1968 (see 42 U.S.C. 3791(Title I of the Omnibus Crime	e Control and Safe
St	Nothing in this condition shall be under the or local government, or any other en the and time the individual would have	ntity or individual to main	ntain (or detain) any individu	
ho	urrent DHS practice is ordinarily to req ours, if possible)." (See DHS Form I-24 e scheduled release date and time for a	7A (3/17)). In the event t	that (e.g., in light of the date I	OHS made such request)

REAL PROPERTY OF THE PROPERTY	ALC: A SUPPORT	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 19 OF 21
PROJECT NUI	MBER	2017-DJ-BX-0078	AWARD DATE	06/26/2018	<u> </u>
56.	advanc schedu C. Botl compli Requir	Current DHS practice is to use one form e notice of scheduled release, and to requiled release. This condition imposes NO re h the "Rules of Construction" and the "Im ance with 8 U.S.C. 1373 is required" are ed local-government-level rules or practic	test that an individ equirements as to aportant Note" set incorporated by re- ces related to alier	lual be detained for up to 48 hor such DHS requests for detentio out in the award condition entit eference as though set forth here ns; allowable costs	urs AFTER the n. led "Ongoing e in full.
	apply t govern 1. Req With ra accepts A. A 1 policy, federal purpos inquire B. A 1 policy, contrac Nation then su para. 4 2. Moi 2. Moi 2. Moi 3. Allo Compl are not reimbu statute: descrit 4. Rul A. The	puirements espect to the "program or activity" that is s this award, and throughout the remainded ocal ordinance, -rule, -regulation, -policy or -practice) must be in place that is desi law in fact are given access a local-gover e of permitting such agents to meet with it e as to such individuals' right to be or remain ocal ordinance, -rule, -regulation, -policy, or -practice) must be in place that is desi ted) correctional facility receives from D ality Act that seeks advance notice of the inch facility will honor such request and .B. of this condition) provide the reque nitoring cipient's monitoring responsibilities inclu- on. bwable costs iance with these requirements is an author reimbursed under any other federal progra- response of the reasonable, necessary, a s, ordinances, rules, regulations, policies, bed in para. 1.A. above, and (3) honoring a es of construction e "Rules of Construction" and the "Impor-	his award at any ti funded (in whole er of the period of 7, or -practice (or a igned to ensure tha rnment (or local-g individuals who a ain in the United 3 7, or -practice (or a igned to ensure tha DHS a formal writt scheduled release as early as practic ested notice to DH de monitoring of s prized and priority ram, award funds and allocable cost any request from tant Note" set out	er (whether or not the recipient or in part) by this award, as of t performance for the award an applicable State statute, -rule, at agents of the United States ac government-contracted) correcti- re (or are believed by such agen States. In applicable State statute, -rule, at, when a local-government (or en request authorized by the Im e date and time for a particular a cable (see "Rules of Construction S. subrecipient compliance with the purpose of this award. To the e may be obligated (including for s (if any) of (1) developing an atisfy this condition, (2) permitt DHS that is encompassed by pa	itself is a unit of local the date the recipient , -regulation, - ting under color of onal facility for the ts to be) aliens and to regulation, - 'local-government- migration and lien in such facility, m" incorporated by e requirements of this extent that such costs r authorized d putting into place ting access as ra. 1.B. above.
	with 8 U.S.C. 1373 is required" are incorporated by reference as though set forth here in full. B. The "Rules of Construction" set out in the award condition entitled "Required State-level rules or practices relate to aliens; allowable costs" are incorporated by reference as though set forth here in full.				

OF REAL PROPERTY OF REA	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 20 OF 21
PROJECT N	UMBER 2017-DJ-BX-0078	AWARD DATE 06/26/2018	
	SPECIAL	CONDITIONS	
57.	Use of funds for DNA testing; upload of DNA p	profiles	
		lentiary materials, any resulting eligible DNA pro " the DNA database operated by the FBI) by a go	
	No profiles generated under this award may be option express written approval from BJA.	entered or uploaded into any non-governmental I	ONA database without
	Award funds may not be used for the purchase of be accepted for entry into CODIS.	of DNA equipment and supplies unless the resultion	ing DNA profiles may
58.	Encouragement of submission of "success storie	es"	
	story, sign in to a My BJA account at https://ww the recipient does not yet have a My BJA accou one of the available areas on the My BJA page	t annual (or more frequent) JAG success stories. " ww.bja.gov/Login.aspx to access the Success Stor int, please register at https://www.bja.gov/profile. will be "My Success Stories." Within this box, the by BJA, all success stories will appear on the BJA ispx.	ry Submission form. If aspx. Once registered, ere is an option to add
59.	"Methods of Administration" - monitoring comp	pliance with civil rights laws and nondiscriminati	on provisions
	rights laws and nondiscrimination provisions. V submit to OJP's Office for Civil Rights (at Civil for subrecipient monitoring with respect to civil authorized federal agency), the recipient must m	ide monitoring of subrecipient compliance with a Within 90 days of the date of award acceptance, th RightsMOA@usdoj.gov) written Methods of Ad I rights requirements. In addition, upon request b nake associated documentation available for revie	he recipient must ministration ("MOA") y OJP (or by another ew.
	https://ojp.gov/funding/Explore/StateMethodsA	to Methods of Administration are posted on the Cadmin-FY2017update.htm (Award condition: "Metates (FY 2017 Update)), and are incorporated by	ethods of
60.	Requirement to disclose whether recipient is de-	signated "high risk" by a federal grant-making ag	ency outside of DOJ
	during the course of the period of performance of information to OJP by email at OJP.Compliance includes any status under which a federal award performance, or other programmatic or financia the following: 1. The federal awarding agency t was designated high risk, 3. The high-risk point	deral grant-making agency outside of DOJ, curren under this award, the recipient must disclose that eReporting@ojp.usdoj.gov. For purposes of this ling agency provides additional oversight due to t al concerns with the recipient. The recipient's disc that currently designates the recipient high risk, 2. of contact at that federal awarding agency (name risk status, as set out by the federal awarding age	fact and certain related disclosure, high risk the recipient's past losure must include . The date the recipient e, phone number, and

PROJECT NU			Grant	
	JMBER 2017-DJ-BX-0078	AWARD DATE	06/26/2018	
	SPE	CIAL CONDITIONS		
61.	Reclassification of various statutory provi	sions to a new Title 34	of the United States Code	
	On September 1, 2017, various statutory p reclassified to a new Title 34, entitled "Cr number of statutory provisions pertinent to many provisions previously codified in Ti Effective as of September 1, 2017, any ref reclassified to the new Title 34 of the U.S. Title 34. This rule of construction specific material incorporated by reference through	ime Control and Law E to OJP awards (that is, C tle 42 of the U.S. Code. Ference in this award do . Code is to be read as a cally includes reference	nforcement." The reclassification DJP grants and cooperative agree cument to a statutory provision reference to that statutory provision s set out in award conditions, reference	ion encompassed a sements), including a that has been vision as reclassified to eferences set out in
62.	Recipient integrity and performance matter administrative proceedings to SAM and F	ers: Requirement to rep		-
	The recipient must comply with any and a criminal, and administrative proceedings of any other grant, cooperative agreement, or circumstances, recipients of OJP awards a System for Award Management (known a (currently, "FAPIIS").	connected with (or conn r procurement contract re required to report inf	nected to the performance of) ei from the federal government. U formation about such proceedin	ther this OJP award or Under certain lgs, through the federal
	The details of recipient obligations regard criminal, and administrative proceedings t "FAPIIS") within SAM are posted on the Recipient Integrity and Performance Matter reference here.	to the federal designated OJP web site at https://d	l integrity and performance sys pjp.gov/funding/FAPIIS.htm (A	tem (currently, Award condition:
63.	Withholding of funds: Required certificati	on from the chief execu	itive of the applicant governme	ent
	The recipient may not obligate, expend, or "Certifications and Assurances by the Chi determined by OJP), and a Grant Adjustm	ef Executive of the App	olicant Government," properly-	executed (as
64.	Withholding of funds: Budget narrative			
	The recipient may not obligate, expend, or reviewed and accepts, the budget narrative remove this condition.			
65.	SORNA final agency decision - Appeals			
	The recipient acknowledges the final agen implement the Sex Offender Registration and understands that, as a result of that fin 42 U.S.C. 16925. By accepting this species appeal of that final agency decision, which may commence more than 6 months after	and Notification Act (P al agency decision, the fic award, the recipient h was integral in determ	ublic Law 109-248, "SORNA") amount of this JAG award was voluntarily agrees that if it elec ining this particular funding an) before the deadline, s reduced, pursuant to cts to file a judicial



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To:Official Grant FileFrom:Orbin Terry, NEPA Coordinator

Subject: Incorporates NEPA Compliance in Further Developmental Stages for New Jersey Department of Law and Public Safety

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

a. New construction;

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

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

d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and

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

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see https://www.bja.gov/Funding/nepa.html.

Please be sure to carefully review the grant conditions on your award document, as it may contain more specific information about environmental compliance.

STUTENT OF HAR	U.S. Department of Justice Office of Justice Programs	GRANT MANAGE	R'S MEMO ECT SUMI	· · · · · · · · · · · · · · · · · · ·
	Bureau of Justice Assistance	r KOJI	Grant	VIARI
USTICE PRO				
		PROJECT NUMBER		PAGE 1 OF 1
		2017-DJ-BX-0078		
	under FY17(BJA - JAG State and JAG Local) Title I d ied at 42 U.S.C. 3750 - 3758); see also 28 U.S.C. 5300		ined at 42 0.5.C.	3/11 - 3/9/11-3), including
1. STAFF CONTACT (N	ame & telephone number)	2. PROJECT DIRECTOR (Name	e, address & telepl	none number)
Jennifer Lewis (202) 305-8064		Kelly Ottobre Grants Manager 25 Market Street P.0. Box 081 Trenton, NJ 08625-0081 (609) 984-4492		
3a. TITLE OF THE PRO	GRAM			DE (SEE INSTRUCTIONS
BJA FY 17 Edward Byrne	Memorial Justice Assistance Grant (JAG) Program -	State Solicitation	ON REVE	(SE)
4. TITLE OF PROJECT FY17 Edward Byrne N	Iemorial Justice Assistance Grant (JAG) Program			
5. NAME & ADDRESS	OF GRANTEE	6. NAME & ADRESS OF SUBG	GRANTEE	
New Jersey Departme 25 Market Street P.0. Trenton, NJ 08625-00				
7. PROGRAM PERIOD		8. BUDGET PERIOD		
FROM: 10/0	01/2016 TO: 09/30/2020	FROM: 10/01/2016	5 TO: 0	9/30/2020
9. AMOUNT OF AWAR	D	10. DATE OF AWARD		
\$ 4,047,274		06/26/2018		
11. SECOND YEAR'S B	UDGET	12. SECOND YEAR'S BUDGET	C AMOUNT	
13. THIRD YEAR'S BUI	DGET PERIOD	14. THIRD YEAR'S BUDGET AMOUNT		
15. SUMMARY DESCR	IPTION OF PROJECT (See instruction on reverse)	1		

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following program areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation) and 8) mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.

This State JAG award will be used to support criminal justice initiatives that fall under one or more of the allowable program areas above. Funded programs or

OJP FORM 4000/2 (REV. 4-88)

initiatives may include multijurisdictional drug and gang task forces, crime prevention and domestic violence programs, courts, corrections, treatment, justice information sharing initiatives, or other programs aimed at reducing crime and/or enhancing public/officer safety.

NCA/NCF

Exhibit E

Virginia Byrne JAG Award Letter



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

June 26, 2018

Mrs. Francine C. Ecker Virginia Dept of Criminal Justice Services 1100 Bank Street Richmond, VA 23219-3640

Dear Mrs. Ecker:

On behalf of Attorney General Jefferson Sessions III, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 17 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - State Solicitation in the amount of \$3,353,534 for Virginia Dept of Criminal Justice Services.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Dawn K. Hill, Program Manager at (202) 598-7513; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

Alan R. Hanson Principal Deputy Assistant Attorney General

Enclosures



OFFICE FOR CIVIL RIGHTS

Office of Justice Programs U.S. Department of Justice 810 7th Street, NW Washington, DC 20531

Tel: (202) 307-0690 TTY: (202) 307-2027 E-mail: askOCR@usdoj.gov Website: www.ojp.usdoj.gov/ocr

June 26, 2018

Mrs. Francine C. Ecker Virginia Dept of Criminal Justice Services 1100 Bank Street Richmond, VA 23219-3640

Dear Mrs. Ecker:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at http://ojp.gov/about/ocr/vawafaqs.htm.

Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website http://www.lep.gov.

Ensuring Equal Treatment for Faith-Based Organizations

The DOJ regulation, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Using Arrest and Conviction Records in Making Employment Decisions

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at http://www.ojp.usdoj.gov//about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOPs) (see below).

Complying with the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEOP (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), .205(c)(5)).

Meeting the EEOP Requirement

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at http://www.ojp.usdoj.gov/about/ocr/eeop.htm. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOsubmisson@usdoj.gov.

Meeting the Requirement to Submit Findings of Discrimination

If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

Ensuring the Compliance of Subrecipients

SAAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see http://www.ojp.usdoj.gov/funding/other_requirements.htm.

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,

Minh 2. also

Michael L. Alston Director

cc: Grant Manager Financial Analyst

CONTENT OF	Off	. Departm ice of Just reau of a	ice Prog		nce	Grant		PAGE	1 OF 21
1. RECIPIEN	T NAME ANI	O ADDRESS	(Including	g Zip Code)		4. AWARD NUMBER: 2017-D	DJ-BX-0082		
1100 Bank	Virginia Dept of Criminal Justice Services		5. PROJECT PERIOD: FROM 10/01/2016 TO 09/30/2020 BUDGET PERIOD: FROM 10/01/2016 TO 09/30/2020						
						6. AWARD DATE 06/26/2018		7. ACTION	
550852528		OR NO.				8. SUPPLEMENT NUMBER 00		Ini	tial
2b. GRANTE 809392392						9. PREVIOUS AWARD AMOUN	T		\$ 0
3. PROJECT		tance Grant	for Virgini	a		10. AMOUNT OF THIS AWARD)	\$ 3,353	,534
			-			11. TOTAL AWARD		\$ 3,353	,534
including s	ct is supported subpart 1 of pa	under FY17 rt E (codified STIC FEDEI	(BJA - JAC 1 at 42 U.S RAL ASSI	.C. 3750 - 3' STANCE (C	758); see also 28 FDA Number)	e I of Pub. L. No. 90-351 (generally 3 U.S.C. 530C(a).	codified at 42 U.S	.C. 3711 - 3797f	f-5),
15. METHOD GPRS		NT	PPROVAL			GRA	NTEE ACCEPTA	ANCE	
16. TYPED N	AME AND T					18. TYPED NAME AND TITLE			FFICIAL
Alan R. Ha Principal I	anson Deputy Assista	nt Attorney (General			Francine C. Ecker Director			
17. SIGNATU	JRE OF APPR			-		19. SIGNATURE OF AUTHORI	ZED RECIPIENT	OFFICIAL	19A. DATE
					AGENCY	Y USE ONLY			ı
20. ACCOUN FISCAL FU YEAR CO	JND BUD.	IFICATION OFC.	DIV.	SUB. POM	S AMOUNT	21. SDJUGT1109			
ХВ	B DJ	80	00 0	00	3353534				

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

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S CONTRACTOR	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 2 OF 21
PROJECT NUMBER	2017-DJ-BX-0082	AWARD DATE 06/26/2018	I
	SPECIAL	CONDITIONS	
1. Requ	irements of the award; remedies for non-co	ompliance or for materially false statements	
subm		ements of the award. Compliance with any certif elate to conduct during the period of performance	
cond may awar	ition incorporated by reference below, or a result in the Office of Justice Programs ("C d. Among other things, the OJP may with	e award requirements whether a condition set or certification or assurance related to conduct durin DJP") taking appropriate action with respect to the hold award funds, disallow costs, or suspend or ter DJP, also may take other legal action as appropriat	ng the award period recipient and the rminate the award.
or on and/c	nission of a material fact) may be the subje	atement to the federal government related to this a ct of criminal prosecution (including under 18 U. mposition of civil penalties and administrative ren 730 and 3801-3812).	S.C. 1001 and/or 1621,
shall	first be applied with a limited construction instead, that the provision is utterly invalid	ward be held to be invalid or unenforceable by its so as to give it the maximum effect permitted by d or -unenforceable, such provision shall be deem	law. Should it be
2. Appl	icability of Part 200 Uniform Requirement	S	
and s		st Principles, and Audit Requirements in 2 C.F.R. 0 (together, the "Part 200 Uniform Requirements"	
supp Dece (rega	lements funds previously awarded by OJP mber 2014), the Part 200 Uniform Require	adopted by DOJ on December 26, 2014. If this F under the same award number (e.g., funds awarde ments apply with respect to all funds under that a whether derived from the initial award or a supple this FY 2017 award.	d during or before ward number
		200 Uniform Requirements as they relate to OJP .gov/funding/Part200UniformRequirements.htm.	awards and subawards
that 1		es from documents or other materials prepared or one way from, the provisions of the Part 200 Unifo ation.	
3. Com	pliance with DOJ Grants Financial Guide		
DOJ		rants Financial Guide as posted on the OJP websit //ojp.gov/financialguide/DOJ/index.htm), includin nance.	

STUENT OF J	ALL STATES	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUA SHEET Grant	TION	PAGE 3 OF 21
PROJECT NU	UMBER	2017-DJ-BX-0082	AWARD DATE 06/26/2018		
4.	Both t compl recipion this color In the FPOC calence POC) compl A list purpo includ The re compl condit Requi	red training for Point of Contact and all Fi the Point of Contact (POC) and all Financi leted an "OJP financial management and g ent's acceptance of the award. Successful ondition. event that either the POC or an FPOC for c must have successfully completed an "OJ dar days after (1) the date of OJP's appro- dar days after (1) the date of OJP's appro- ection of such a training on or after January of OJP trainings that OJP will consider "C ses of this condition is available at https://- le a session on grant fraud prevention and ec- cipient should anticipate that OJP will imm by with this condition. The recipient's failu- tions on this award. rements related to "de minimis" indirect co-	al Points of Contact (FPOCs) for the ant administration training" by 12 completion of such a training on or this award changes during the peri P financial management and grant and of the "Change Grantee Contact in on the new FPOC in GMS (in the 1, 2015, will satisfy this condition JP financial management and grant www.ojp.gov/training/fmts.htm. A letection. Inediately withhold ("freeze") aware to comply also may lead OJP to satisfy the sum of the set rate	20 days after the r after January iod of performa t administration et " GAN (in the e case of a new n. ant administration All trainings that rd funds if the p impose additi	e date of the 1, 2015, will satisfy ance, the new POC or a training" by 120 e case of a new v FPOC). Successful on training" for at satisfy this condition recipient fails to conal appropriate use the "de minimis"
6.	indire OJP in Unifo by the Requi If the funds of tho identi- award award	appient that is eligible under the Part 200 Ur ct cost rate described in 2 C.F.R. 200.414(in writing of both its eligibility and its elect rm Requirements. The "de minimis" rate of Part 200 Uniform Requirements. rement to report potentially duplicative fun recipient currently has other active awards during the period of performance for this a se other federal awards have been, are bein cal cost items for which funds are provided ling agency (OJP or OVW, as appropriate) ing agency, must seek a budget-modificati nate any inappropriate duplication of fundi), and that elects to use the "de mi on, and must comply with all asso- nay be applied only to modified to ding of federal funds, or if the recipien ward, the recipient promptly must g, or are to be used (in whole or in under this award. If so, the recip in writing of the potential duplicat on or change-of-project-scope grav	inimis" indirect potal direct costs at receives any t determine wh n part) for one pient must prom tion, and, if so	t cost rate, must advise ments in the Part 200 s (MTDC) as defined other award of federal ether funds from any or more of the nptly notify the DOJ requested by the DOJ

CONTRACTOR DE LA CONTRACT	U.S. Department of Ju Office of Justice Prog Bureau of Justice	rams AWARD	O CONTINUATION SHEET Grant	PAGE 4 OF 21
PROJECT NUM	BER 2017-DJ-BX-0082	AWARD DATE	06/26/2018	
		SPECIAL CONDITIONS		
7. F	equirements related to Syster	n for Award Management and Uni	versal Identifier Requirements	
c a	urrently accessible at https://w s well as maintaining the curr	th applicable requirements regardin www.sam.gov/. This includes apply ency of information in SAM. y with applicable restrictions on su	licable requirements regarding re	egistration with SAM,
		ding restrictions on subawards to entifier required for SAM registrati		rovide (to the
a	t https://ojp.gov/funding/Expl	bligations related to SAM and to u lore/SAM.htm (Award condition: are incorporated by reference here.	System for Award Management	
		to an award to an individual who r anization that he or she may own o		erson (i.e., unrelated to
8. A	ll subawards ("subgrants") m	ust have specific federal authoriza	tion	
a	uthorization of any subaward	pient ("subgrantee") at any tier, mu . This condition applies to agreem OJP considers a "subaward" (and	ents that for purposes of feder	al grants
h	ttps://ojp.gov/funding/Explor	for authorization of any subaward e/SubawardAuthorization.htm (Av and are incorporated by reference	ward condition: All subawards (
	pecific post-award approval r xceed \$150,000	required to use a noncompetitive a	pproach in any procurement cont	tract that would
s S fe	pecific advance approval to u implified Acquisition Thresh	pient ("subgrantee") at any tier, mu se a noncompetitive approach in a old (currently, \$150,000). This co equirements OJP considers a pro	ny procurement contract that wo ndition applies to agreements that	uld exceed the at for purposes of
a (1	n OJP award are posted on the Award condition: Specific po	for advance approval to use a none e OJP web site at https://ojp.gov/fu ost-award approval required to use 0,000)), and are incorporated by re	unding/Explore/Noncompetitivel a noncompetitive approach in a	Procurement.htm

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REAL PROPERTY OF A	ALL A SIVE	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 5 OF 21		
PROJECT NU	UMBER	2017-DJ-BX-0082	AWARD DATE 06/26/2018			
		SPECIAL	CONDITIONS			
10.		rements pertaining to prohibited conduct r athority to terminate award)	related to trafficking in persons (including reporti	ng requirements and		
	The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient. The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm (Award condition: Prohibited					
	conduc		to trafficking in persons (including reporting requ			
11. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, train other events				eetings, trainings, and		
	The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.					
		Financial Guide (currently, as section 3.1	conferences and the rules applicable to this award 10 of "Postaward Requirements" in the "2015 DC			
12.	Requir	rement for data on performance and effect	tiveness under the award			
	The da solicita	ta must be provided to OJP in the manner ation or other applicable written guidance	tt measure the performance and effectiveness of v r (including within the timeframes) specified by C . Data collection supports compliance with the G GPRA Modernization Act of 2010, and other appl	DJP in the program		
13.	OJP Ti	raining Guiding Principles				
	deliver		ent or any subrecipient ("subgrantee") at any ti ne OJP Training Guiding Principles for Grantees uidingprinciples.htm.			
14.	Effect	of failure to address audit issues				
	award does no Requir	funds, or may impose other related requir ot satisfactorily and promptly address out	OJ awarding agency (OJP or OVW, as appropriat rements, if (as determined by the DOJ awarding a standing issues from audits required by the Part 2 r other outstanding issues that arise in connection	gency) the recipient 00 Uniform		
15.	Potenti	ial imposition of additional requirements				
	(OJP o		nal requirements that may be imposed by the DO l of performance for this award, if the recipient is list.			

STATES OF A STATES	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 6 OF 21			
PROJECT NU	JMBER 2017-DJ-BX-0082	AWARD DATE 06/26/2018				
	SPECIAL	CONDITIONS				
16.	Compliance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Par	rt 42			
		e") at any tier, must comply with all applicable rec cable requirements in Subpart E of 28 C.F.R. Part				
17.	Compliance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Par	rt 54			
	The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."					
18.	Compliance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Par	rt 38			
	C.F.R. Part 38, specifically including any applic	e") at any tier, must comply with all applicable re- cable requirements regarding written notice to pro 8 C.F.R., a DOJ regulation, was amended effective	gram beneficiaries and			
Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious pra Part 38 also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organization engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients that pertain to recipients are subrecipients that are faith-based or religious organizations.						
The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," available via the Electronic Code of Federal Regulations (currently accessible at https://www.ecfr.gov/cgi- bin/ECFR?page=browse), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "curdata.						
19.	Restrictions on "lobbying"					
	subrecipient ("subgrantee") at any tier, either dia modification, or adoption of any law, regulation	nds awarded by OJP may not be used by the recip rectly or indirectly, to support or oppose the enact a, or policy, at any level of government. See 18 U te specifically authorizes certain activities that oth	ment, repeal, .S.C. 1913. (There			
	subrecipient at any tier, to pay any person to inf. Congress, or Congress (or an official or employe cooperative agreement, subgrant, contract, subc	funds awarded by OJP from being used by the rec luence (or attempt to influence) a federal agency, ee of any of them) with respect to the awarding of ontract, or loan, or with respect to actions such as 352. Certain exceptions to this law apply, including	a Member of f a federal grant or renewing, extending,			
		ular use of federal funds by a recipient (or subrec ecipient is to contact OJP for guidance, and may n				

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STREET OF J	ALL SALES	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 7 OF 21
PROJECT N	JMBER	2017-DJ-BX-0082	AWARD DATE	06/26/2018	
		SPECIAL	CONDITIONS		
20.	Comp	liance with general appropriations-law res	strictions on the use	e of federal funds (FY 2017)	
	federa provis https:// Should fall wi	cipient, and any subrecipient ("subgranted l funds set out in federal appropriations st ions" in the Consolidated Appropriations /ojp.gov/funding/Explore/FY17Appropria d a question arise as to whether a particula thin the scope of an appropriations-law re ed without the express prior written appro	tatutes. Pertinent re Act, 2017, are set of ationsRestrictions.h ar use of federal fut estriction, the recip	estrictions, including from variout at out at htm, and are incorporated by re nds by a recipient (or a subreci	ous "general ference here. pient) would or might
21.	Repor	ting potential fraud, waste, and abuse, and	d similar miscondu	ct	
	The re Gener person comm miscon Potent OIG b 950 Pe	cipient, and any subrecipients ("subgrant al (OIG) any credible evidence that a prin has, in connection with funds under this itted a criminal or civil violation of laws	ees") at any tier, ma acipal, employee, ag award (1) submit pertaining to fraud, volving or relating to pector General, U.S Washington, DC 20	ust promptly refer to the DOJ (gent, subrecipient, contractor, s ted a claim that violates the Fa conflict of interest, bribery, gr to funds under this award shou 5. Department of Justice, Invest 530; (2) e-mail to: oig.hotline(subcontractor, or other ilse Claims Act; or (2) ratuity, or similar ld be reported to the tigations Division, @usdoj.gov; and/or (3)
	Additi	onal information is available from the DC	OJ OIG website at l	nttps://www.usdoj.gov/oig.	

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PROJECT NUMBER 2017-DJ-BX-0082 AWARD DATE 06/26/2018 SPECIAL CONDITIONS 22. Restrictions and certifications regarding non-disclosure agreements and related matters No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information. The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information. 1. In accepting this award, the recipient a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict), neporting of waste, fraud, or abuse as described above; and b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise current (or purport to prohibit or restrict), eporting of waste, fraud, or abuse as described above; and b. certifies that, if it learns or is notified that it is or	C C C C C C C C C C C C C C C C C C C	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 8 OF 21
 22. Restrictions and certifications regarding non-disclosure agreements and related matters No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information. The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information. I. In accepting this award, the recipient a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors from reporting waste, fraud, or abuse as described above; and b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above; and b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors, the receival agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency. 2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both a. it represents that (1) it has determined that no othe	PROJECT NUMBER	2017-DJ-BX-0082	AWARD DATE 06/26/2018	
 (2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly 	 22. Restring No resubco agrees accordepar The for requires sensition nondiant in the formal sensition nondiant is the formal sensition of the fo	SPECIAL ictions and certifications regarding non-di- cipient or subrecipient ("subgrantee") und intract with any funds under this award, m ment or statement that prohibits or otherw dance with law) of waste, fraud, or abuse is tment or agency authorized to receive such oregoing is not intended, and shall not be rements applicable to Standard Form 312 of ive compartmented information), or any of sclosure of classified information. accepting this award, the recipient presents that it neither requires nor has require tractors that currently prohibit or otherwine actors from reporting waste, fraud, or abuse rtifies that, if it learns or is notified that it ments or statements that prohibit or otherwine ations only if expressly authorized under the 	<i>CONDITIONS</i> sclosure agreements and related matters ler this award, or entity that receives a procureme ay require any employee or contractor to sign an rise restricts, or purports to prohibit or restrict, th to an investigative or law enforcement represents h information. understood by the agency making this award, to (which relates to classified information), Form 4- other form issued by a federal department or agen uired internal confidentiality agreements or state se currently restrict (or purport to prohibit or restrict), re se as described above; and is or has been requiring its employees or contract wise restrict (or purport to prohibit or restrict), re y stop any further obligations of award funds, wi ag this award, and will resume (or permit resump o by that agency. his award to make subawards ("subgrants"), proc ne recipient's application proposes may or will re curement contract, or subcontract under a procure agreements or statements from employees or con- ract or to prohibit or restrict) employees or contract se has an adequate factual basis, to support this re any subrecipient, contractor, or subcontractor en ployees or contractors to execute agreements or astrict), reporting of waste, fraud, or abuse as des ard funds to or by that entity, will provide promp	<pre>internal confidentiality e reporting (in ative of a federal contravene 414 (which relates to icy governing the ments from employees trict) employees or tors to execute porting of waste, fraud, ll provide prompt tion of) such urement contracts, or ceive award funds ement contract) either ntractors that currently rs from reporting waste, epresentation; and tity that receives funds statements that prohibit cribed above, it will t written notification to</pre>

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STRENT OF IT	ALL STURY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 9 OF 21
PROJECT NU	MBER	2017-DJ-BX-0082	AWARD DATE	06/26/2018	
		SPECIAL	CONDITIONS		
23.	Compl	liance with 41 U.S.C. 4712 (including pro	phibitions on repr	isal; notice to employees)	
	U.S.C. employ gross v health The re	cipient (and any subrecipient at any tier) 4712, including all applicable provisions yee as reprisal for the employee's disclose waste of federal funds, an abuse of author or safety, or a violation of law, rule, or re cipient also must inform its employees, in	s that prohibit, un ure of information ity relating to a fe gulation related t n writing (and in t	der specified circumstances, dis a related to gross mismanagement ederal grant, a substantial and sp o a federal grant.	crimination against an nt of a federal grant, a ecific danger to public
	Should	yee rights and remedies under 41 U.S.C. 1 a question arise as to the applicability of t the DOJ awarding agency (OJP or OVV	f the provisions o		he recipient is to
24.	Encou	ragement of policies to ban text messagin	g while driving		
	51225 bannin award,	Int to Executive Order 13513, "Federal Le (October 1, 2009), DOJ encourages recip g employees from text messaging while of and to establish workplace safety policies s caused by distracted drivers.	bients and subreci driving any vehic	pients ("subgrantees") to adopt a le during the course of performing	and enforce policies ng work funded by this
25.	Coope	rating with OJP Monitoring			
	proced Office recipie docum deadlin result i restrict	cipient agrees to cooperate with OJP mor lures, and to cooperate with OJP (includin r (OCFO)) requests related to such monit ent agrees to provide to OJP all document tentation related to any subawards made u nes set by OJP for providing the requester in actions that affect the recipient's DOJ a tions on the recipient's access to award fu ent as a DOJ High Risk grantee; or termin	ng the grant mana oring, including r ation necessary founder this award. d documents. Fai wards, including. nds; referral to th	ger for this award and the Office equests related to desk reviews a or OJP to complete its monitorin Further, the recipient agrees to lure to cooperate with OJP's mo , but not limited to: withholdings e DOJ OIG for audit review; dest	e of Chief Financial and/or site visits. The g tasks, including abide by reasonable nitoring activities may s and/or other
26.	FFAT	A reporting: Subawards and executive co	ompensation		
	more a execut obligat on the	cipient must comply with applicable requ and, in certain circumstances, to report the ives of the recipient and first-tier subrecip tions, which derive from the Federal Fund OJP web site at https://ojp.gov/funding/E tive Compensation), and are incorporated	e names and total pients (first-tier "s ding Accountabili Explore/FFATA.h	compensation of the five most h subgrantees") of award funds. T ty and Transparency Act of 200 tm (Award condition: Reporting	highly compensated The details of recipient 6 (FFATA), are posted
	award	ondition, including its reporting requirem made to an individual who received the a zation that he or she may own or operate	ward as a natural	person (i.e., unrelated to any bu	

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Prograthe Production of the Productin of the Production of the Production of the Pro	of program income am income (as defined in the Part 200 Uni art 200 Uniform Requirements. Program i ral Financial Report, SF 425. e Information Sharing ler to promote information sharing and ena c safety community, the recipient (and any nation Sharing Initiative (DOJ's Global) g conform to the Global Standards Package //it.ojp.gov/gsp_grantcondition. The recipi ibe compliance to the GSP and appropriate ication for why an alternative approach is a dance of duplication of networks roid duplicating existing networks or IT sy ng systems which involve interstate connec- ole, existing networks as the communication nstrate to the satisfaction of BJA that this i	ystems in any initiatives funded by BJA for law excitivity between jurisdictions, such systems shall on backbone to achieve interstate connectivity, u	eported on the quarterly ross the justice and I's Global Justice ar award. The recipient vable, as described at: nation sharing and or provide detailed
Prograthe Production of the Productin of the Production of the Production of the Pro	of program income am income (as defined in the Part 200 Uni art 200 Uniform Requirements. Program i ral Financial Report, SF 425. e Information Sharing ler to promote information sharing and ena c safety community, the recipient (and any nation Sharing Initiative (DOJ's Global) g conform to the Global Standards Package //it.ojp.gov/gsp_grantcondition. The recipi ibe compliance to the GSP and appropriate ication for why an alternative approach is a dance of duplication of networks roid duplicating existing networks or IT sy ng systems which involve interstate connec- ole, existing networks as the communication nstrate to the satisfaction of BJA that this i	iform Requirements) must be used in accordance income earnings and expenditures both must be r able interoperability among disparate systems acc y subrecipient at any tier) must comply with DOD guidelines and recommendations for this particula (GSP) and all constituent elements, where applic ient shall document planned approaches to inforr e privacy policy that protects shared information, recommended.	eported on the quarterly ross the justice and I's Global Justice ar award. The recipient vable, as described at: nation sharing and or provide detailed
Prograthe Production of the Productin of the Production of the Production of the Pro	am income (as defined in the Part 200 Unit art 200 Uniform Requirements. Program i al Financial Report, SF 425. e Information Sharing ler to promote information sharing and ena c safety community, the recipient (and any mation Sharing Initiative (DOJ's Global) g conform to the Global Standards Package //it.ojp.gov/gsp_grantcondition. The recipi ibe compliance to the GSP and appropriate tection for why an alternative approach is n dance of duplication of networks roid duplicating existing networks or IT sy ng systems which involve interstate connec- ole, existing networks as the communication nstrate to the satisfaction of BJA that this i	able interoperability among disparate systems act y subrecipient at any tier) must comply with DOD guidelines and recommendations for this particula (GSP) and all constituent elements, where applic ient shall document planned approaches to inform e privacy policy that protects shared information, recommended.	eported on the quarterly ross the justice and I's Global Justice ar award. The recipient vable, as described at: nation sharing and or provide detailed
the P. Feder 28. Justic In ord publi Infor shall https: descr justif 29. Avoid To av sharin possi demo funct 30. Comp	art 200 Uniform Requirements. Program i al Financial Report, SF 425. e Information Sharing ler to promote information sharing and ena c safety community, the recipient (and any nation Sharing Initiative (DOJ's Global) g conform to the Global Standards Package //it.ojp.gov/gsp_grantcondition. The recipi ibe compliance to the GSP and appropriate ication for why an alternative approach is in lance of duplication of networks roid duplicating existing networks or IT sy ng systems which involve interstate connec- ole, existing networks as the communication nstrate to the satisfaction of BJA that this i	able interoperability among disparate systems act y subrecipient at any tier) must comply with DOD guidelines and recommendations for this particula (GSP) and all constituent elements, where applic ient shall document planned approaches to inform e privacy policy that protects shared information, recommended.	eported on the quarterly ross the justice and I's Global Justice ar award. The recipient vable, as described at: nation sharing and or provide detailed
In ord publi Infor shall https: descr justif 29. Avoid To av sharin possi demo funct 30. Comp	ler to promote information sharing and ena c safety community, the recipient (and any mation Sharing Initiative (DOJ's Global) g conform to the Global Standards Package //it.ojp.gov/gsp_grantcondition. The recipi ibe compliance to the GSP and appropriate tection for why an alternative approach is a dance of duplication of networks roid duplicating existing networks or IT sy ng systems which involve interstate connec- ole, existing networks as the communication nstrate to the satisfaction of BJA that this i	y subrecipient at any tier) must comply with DOJ guidelines and recommendations for this particula (GSP) and all constituent elements, where applic ient shall document planned approaches to inform e privacy policy that protects shared information, recommended.	J's Global Justice ir award. The recipient vable, as described at: nation sharing and or provide detailed inforcement information employ, to the extent nless the recipient can
publi Infor shall https: descr justif 29. Avoid To av sharin possi demo funct 30. Comp	c safety community, the recipient (and any nation Sharing Initiative (DOJ's Global) g conform to the Global Standards Package //it.ojp.gov/gsp_grantcondition. The recipi ibe compliance to the GSP and appropriate ication for why an alternative approach is a lance of duplication of networks roid duplicating existing networks or IT sy ng systems which involve interstate connec- ole, existing networks as the communication nstrate to the satisfaction of BJA that this i	y subrecipient at any tier) must comply with DOJ guidelines and recommendations for this particula (GSP) and all constituent elements, where applic ient shall document planned approaches to inform e privacy policy that protects shared information, recommended.	J's Global Justice ir award. The recipient vable, as described at: nation sharing and or provide detailed inforcement information employ, to the extent nless the recipient can
To av sharin possi demo funct 30. Comp	roid duplicating existing networks or IT sy ng systems which involve interstate connect ole, existing networks as the communication nstrate to the satisfaction of BJA that this	ctivity between jurisdictions, such systems shall on backbone to achieve interstate connectivity, u	employ, to the extent nless the recipient can
sharin possi demo funct 30. Comp	ng systems which involve interstate connect oble, existing networks as the communication instrate to the satisfaction of BJA that this	ctivity between jurisdictions, such systems shall on backbone to achieve interstate connectivity, u	employ, to the extent nless the recipient can
-	onality of an existing or proposed IT syste		l impair the
With	bliance with 28 C.F.R. Part 23		
OJP o its di	ubrecipient at any tier) must comply with 2 letermines this regulation to be applicable. scretion, perform audits of the system, as p	stem funded or supported by funds under this awa 28 C.F.R. Part 23, Criminal Intelligence Systems 5. Should OJP determine 28 C.F.R. Part 23 to be a per the regulation. Should any violation of 28 C.F. c)-(d). The recipient may not satisfy such a fine	Operating Policies, if pplicable, OJP may, at R. Part 23 occur, the
31. Prote	ction of human research subjects		
polic		must comply with the requirements of 28 C.F.R. n of human research subjects, including obtainment oject informed consent.	
32. Conf	dentiality of data		
and 2 agree	8 C.F.R. Part 22 that are applicable to coll	must comply with all confidentiality requirement lection, use, and revelation of data or information omit a Privacy Certificate that is in accord with re 23.	. The recipient further

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ification and updating of recipient contact in	formation	thorized
presentative contact information in GMS, incl	luding telephone number and e-mail address. If	any information is
b is a task force commander, agency executives st complete required online (internet-based) transplete this training once during the period of pards include this requirement. The required training is available free of charge of dership (www.ctfli.org). The training address vacy and civil liberties/rights, task force performed on the period of pards are used to support sonnel roster, along with course completion completion completes.	re, task force officer, or other task force member ask force training. Additionally, all future task for performance for this award, or once every four y online through the BJA-funded Center for Task ses task force effectiveness, as well as other key prmance measurement, personnel selection, and t rt a task force, the recipient must compile and ma certificates.	of equivalent rank, pree members must years if multiple OJP Force Integrity and issues including ask force oversight and aintain a task force
		s, technical assistance
	SPECIAL of ification and updating of recipient contact in recipient must verify its Point of Contact(PO presentative contact information in GMS, inclo- prect or has changed, a Grant Adjustment No AS) to document changes. wenforcement task forces - required training hin 120 days of award acceptance, each curre o is a task force commander, agency executive at complete required online (internet-based) to aplete this training once during the period of ords include this requirement. required training is available free of charge dership (www.ctfli.org). The training address acy and civil liberties/rights, task force perfor- bountability. If award funds are used to suppor sonnel roster, along with course completion of ditional information regarding the training is grity and Leadership (www.ctfli.org). uured attendance at BJA-sponsored events recipient (and its subrecipients at any tier) no nots, or conferences held by BJA or its design ification of consultant rate proval of this award does not indicate approv ification must be submitted to and approved	SPECIAL CONDITIONS ification and updating of recipient contact information recipient must verify its Point of Contact(POC), Financial Point of Contact (FPOC), and Au resentative contact information in GMS, including telephone number and e-mail address. If rrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants M dS) to document changes. w enforcement task forces - required training hin 120 days of award acceptance, each current member of a law enforcement task force func- o is a task force commander, agency executive, task force officer, or other task force member st complete required online (internet-based) task force training. Additionally, all future task for plete this training once during the period of performance for this award, or once every four y rds include this requirement. required training is available free of charge online through the BJA-funded Center for Task dership (www.ctfli.org). The training addresses task force effectiveness, as well as other key acy and civil liberties/rights, task force performance measurement, personnel selection, and to puntability. If award funds are used to support a task force, the recipient must compile and mis sonnel roster, along with course completion certificates. Itional information regarding the training is available through BJA's web site and the Center grity and Leadership (www.ctfli.org). uired attendance at BJA-sponsored events recipient (and its subrecipients at any tier) must participate in BJA-sponsored training events rts, or conferences held by BJA or its designees, upon BJA's request. ification of consultant rate proval of this award does not indicate approval of any consultant rate in excess of \$650 per da ification must be submitted to and approved by the OJP program office prior to obligation or

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STATENT OF T	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 12 OF 21
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	SPECIAL	CONDITIONS	
37.	Compliance with National Environmental Policy	y Act and related statutes	
	Environmental Policy Act (NEPA), the National impact analyses requirements in the use of these Accordingly, the recipient agrees to first determ to obligating funds for any of these purposes. If the award, the recipient agrees to contact BJA. The recipient understands that this condition app specifically funded with these award funds. That	It at any tier) must assist BJA in complying with Historic Preservation Act, and other related fede e award funds, either directly by the recipient or b ine if any of the following activities will be funde it is determined that any of the following activities plies to new activities as set out below, whether o t is, as long as the activity is being conducted by needs to be undertaken in order to use these awar condition are:	eral environmental by a subrecipient. ed by the grant, prior es will be funded by r not they are being the recipient, a
	a. New construction;		
		v located in an environmentally or historically sen , a wetland, or habitat for endangered species, or istoric Places;	
	c. A renovation, lease, or any proposed use of a prior use or (b) significantly change its size;	building or facility that will either (a) result in a c	change in its basic
		the use of chemicals other than chemicals that are b) traditionally used, for example, in office, house	
	e. Implementation of a program relating to cland identification, seizure, or closure of clandestine	destine methamphetamine laboratory operations, i methamphetamine laboratories.	including the
	Assessment and/or an Environmental Impact Sta	lying with NEPA may require the preparation of a atement, as directed by BJA. The recipient further f a Mitigation Plan, as detailed at https://bja.gov/ ory operations.	r understands and
	subrecipients' existing programs or activities that	isting Programs or Activities: For any of the reci at will be funded by these award funds, the recipie a in any preparation by BJA of a national or progr	ent, upon specific
38.	Establishment of trust fund		
	required to establish a trust fund account. (The t including any interest, may not be used to pay d Edward Byrne Memorial Justice Assistance Gra funds in the trust fund (including any interest ea	e, the recipient (or a subrecipient, with respect to rust fund may or may not be an interest-bearing a ebts or expenses incurred by other activities beyo int Program (JAG). The recipient also agrees to of rined) during the period of performance for the aw nexpended funds, including interest earned, must	account.) The fund, and the scope of the bligate the award ward and expend

ANDENT OF J	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 13 OF 21		
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	SPECIAL	CONDITIONS			
39.	Prohibition on use of award funds for match und	der BVP program			
	JAG funds may be used to purchase vests for an DOJ Bulletproof Vest Partnership (BVP) progra	n agency, but they may not be used as the 50% n am.	natch for purposes of the		
40.	Certification of body armor "mandatory wear" p	policies			
	The recipient agrees to submit a signed certification that all law enforcement agencies receiving body armor purchased with funds from this award have a written "mandatory wear" policy in effect. The recipient must keep signed certifications on file for any subrecipients planning to utilize funds from this award for ballistic-resistant and stab-resistant body armor purchases. This policy must be in place for at least all uniformed officers before any funds from this award may be used by an agency for body armor. There are no requirements regarding the nature of the policy other than it be a mandatory wear policy for all uniformed officers while on duty.				
41.	Body armor - compliance with NIJ standards				
	Ballistic-resistant and stab-resistant body armor purchased with JAG award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (https://nij.gov/). In addition, ballistic-resistant and stab-resistant body armor purchased must be American-made. The latest NIJ standard information can be found here: https://nij.gov/topics/technology/body-armor/pages/safety-initiative.aspx.				
42.	Required monitoring of subawards				
	award conditions, and the DOJ Grants Financial subaward. Among other things, the recipient is a specific outcomes and benefits attributable to us	is JAG award in accordance with all applicable s l Guide, and must include the applicable condition responsible for oversight of subrecipient spendir se of award funds by subrecipients. The recipient edures for monitoring of subawards under this av	ons of this award in any ng and monitoring of t agrees to submit, upor		
43.	Reporting requirements				
	OJP's GMS (https://grants.ojp.usdoj.gov). Cons Performance and Results Act (GPRA) and the C measure the results of its work. The recipient m Performance Measurement Tool (PMT) website reporting and other JAG requirements, refer to t	nancial Reports (SF-425) and semi-annual perfor sistent with the Department's responsibilities und GPRA Modernization Act of 2010, the recipient nust submit quarterly performance metrics repor e (www.bjaperformancetools.org). For more deta the JAG reporting requirements webpage. Failur t in the freezing of grant funds and future High I	er the Government must provide data that ts through BJA's ailed information on e to submit required		
	Required data on law enforcement agency traini				
44.	Required data on law enforcement agency train.	ing			

STATENT OF Z	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 14 OF 21			
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	SPECIAL	CONDITIONS				
45.	Prohibited Expenditures List					
	Award funds may not be used for items that are listed on the Prohibited Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time. The Prohibited Expenditure List may be accessed here: https://www.bja.gov/funding/JAGControlledPurchaseList.pdf					
46.	Controlled expenditures - prior written approval	l required				
	Award funds may not be used for items that are listed on the Controlled Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time, without explicit written prior approval from BJA. The Controlled Expenditure List, and instructions on how to request approval for purchase or acquisitions are set out at https://www.bja.gov/funding/JAGControlledPurchaseList.pdf					
47.	Controlled expenditures - incident reporting					
	purchase or acquisition, including as the list ma at least 3 years) certain information about the us agency's inventory, and (2) any other controlled equipment in the agency's inventory, regardless	equire any item on the Controlled Expenditure Lis y be amended from time to time, the agency must se of (1) any federally-acquired Controlled Equi l equipment in the same category as the federally- of source; and the agency must make that inform sust be collected and retained are set out at https://	collect and retain (for pment in the acquired controlled ation available to BJA			
48.	Sale of items on Controlled Expenditure List					
		Uniform Requirements set out at 2 C.F.R. 200.313 based with award funds may be transferred or sold				
	Agency (LEA) after obtaining prior written app	equipment, except riot helmets and riot shields, to roval from BJA. As a condition of that approval, ions to BJA as if it were requesting approval to us enditure List.	the acquiring LEA will			
	b. Agencies may not transfer or sell any riot he	lmets or riot shields purchased under this award.				
	exception of fixed wing aircraft, rotary wing air sale is finalized, the agency must obtain prior w	olled Equipment purchased under this award to no craft, and command and control vehicles. Before written approval from BJA. All law enforcement-re and all law enforcement insignias and identifying	any such transfer or elated and other			
	The recipient must notify BJA prior to the dispo award funds, and must abide by any applicable	osal of any items on the Controlled Expenditure L laws (including regulations) in such disposal.	ist purchased with			
49.	Prohibited or controlled expenditures - Effect of	f failure to comply				
	Failure to comply with an award condition relat further approvals of controlled expenditures und	ed to prohibited or controlled expenditures may reder this or other federal awards.	esult in denial of any			

CALL AND	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 15 OF 21
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50.	SPECIAL Controlled expenditures - Standards Consistent with recommendation 2.1 of Executive equipment with award funds must adopt robust a		
	Standards and Specific Controlled Equipment St Community Policing; (b) Constitutional Policing Controlled Equipment Standards includes polici (b) Supervision of Use; (c) Effectiveness Evalua Considerations. Upon OJP's request, the recipien Controlled Equipment Standards, and any relate	tandards. General Policing Standards includes po g; and (c) Community Input and Impact Conside es specifically related to (a) Appropriate Use of ation; (d) Auditing and Accountability; and (e) T nt must provide a copy of the General Policing S	olicies on (a) prations. Specific Controlled Equipment; ransparency and Notice
51.	Authorization to obligate (federal) award funds The recipient may obligate (federal) award fund the first day of the period of performance for the project costs using non-federal funds, but any su minimum (1) the recipient makes a valid accep removed by OJP (via a Grant Adjustment Notice precludes the recipient from obligating, expendi condition is removed.)	is only after the recipient makes a valid acceptan e award (October 1, 2016), however, the recipient ich project costs are incurred at the recipient's ris ptance of the award, and (2) all applicable withho e). (A withholding condition is a condition in th	ce of the award. As of at may choose to incur sk until, at a olding conditions are e award document that
	Except to the extent (if any) that an award condi- risk," if and when the recipient makes a valid ac condition through a Grant Adjustment Notice, th itself for project costs incurred "at-risk" earlier of award acceptance or prior to removal of an appli- otherwise are allowable costs under the award.	cceptance of this award and OJP removes each ap he recipient is authorized to obligate (federal) aw during the period of performance (such as projec	oplicable withholding yard funds to reimburse t costs incurred prior to
	Nothing in this condition shall be understood to funds to "supplant" State or local funds in violat the State or local government) that federal funds absence of federal funds, be made available for	tion of the recipient's certification (executed by t s will be used to increase the amounts of such fur	he chief executive of
52.	"Certification of Compliance with 8 U.S.C. 137	3" required for valid award acceptance by a "Sta	te"
	In order validly to accept this award, the prospec with 8 U.S.C. 1373" (executed by the chief legal submitted to OJP together with the fully-executed day the signed award document is submitted to O invalid.	l officer of the State). Unless that executed certi ed award document, or (2) is uploaded in OJP's (fication either (1) is GMS no later than the
	If an initial award-acceptance submission by the certification regarding 8 U.S.C. 1373, the State or after the date of that certification.		

SULLATION DE LA SULLATION DE L	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 16 OF 21
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		CONDITIONS	
 Wit activit govern from s (2) a g regard restric Cer "publi execut approp recipie "publi execut approp 	y" of any subrecipient at any tier), through ment entity, -agency, or -official may pro- sending or receiving information regarding government entity or -agency from sending ling immigration status as described in 8 U tion) that violates this condition is an "info- tifications from subrecipients. The recipient c" institution of higher education, unless i ted by the chief legal officer of the jurisdic priate form available at https://ojp.gov/fun ent must require that no subrecipient (at ar c" institution of higher education, unless i ted by the chief legal officer of the jurisdic priate form available at https://ojp.gov/fun ent must require that no subrecipient (at ar c" institution of higher education, unless i ted by the chief legal officer of the jurisdic priate OJP form.	led in whole or part under this award (including a nout the period of performance for the award, no a hibit or in any way restrict (1) any government g citizenship or immigration status as described in g, requesting or receiving, maintaining, or exchan J.S.C. 1373(b). For purposes of this award, any p	State or local entity or -official a 8 U.S.C. 1373(a); or ging information prohibition (or covernment or a 3 U.S.C. 1373, properly rd, using the tm. Similarly, the r local government or a 3 U.S.C. 1373, properly subaward, using the
this co 4. Alle extent author subrec impler	bondition. bowable costs. Compliance with these requires that such costs are not reimbursed under a rized reimbursements) for the reasonable, reipient at any tier that is a State or local goment this condition.	tirements is an authorized and priority purpose of any other federal program, award funds may be of necessary, and allocable costs (if any) that the rec overnment or a "public" institution of higher educa	this award. To the bligated (including for pipient, or any
	es of Construction		
(1) "S		agency or other entity thereof, but not any institut	tion of higher
	"public" institution of higher education is nment.	one that is owned, controlled, or directly funded l	by a State or local
(3) "P	rogram or activity" means what it means u	under title VI of the Civil Rights Act of 1964 (see	42 U.S.C. 2000d-4a).
Immig mean	grant Responsibility Act of 1996); and terr	or purposes of 8 U.S.C. 1373 (Illegal Immigration ns that are defined in 8 U.S.C. 1101 (Immigration except that the term "State" also shall include Ame	n and Nationality Act)
Functi		renced in) 8 U.S.C. 1551 note ("Abolition and Naturalization Service" in 8 U.S.C. 1373 are to b meland Security (DHS).	
State of		to authorize or require any recipient, any subreci on of higher education, or any other entity (or ind s or nondiscrimination law.	

SUMENTOR T	The Street	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 17 OF 21		
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		SPECIAL	CONDITIONS			
			e meaning or scope of this condition should be d	lirected to OJP, before		
54.	Author	rity to obligate award funds contingent on	n compliance with 8 U.S.C. 1373; unallowable of	costs; obligation to notify		
	1. If the	he recipient is a State or local government	t			
	A. The recipient may not obligate award funds if, at the time of the obligation, the "program or activity" of the recipient (or of any subrecipient at any tier that is a either a State or unit of local government or a "public" institution of higher education) that is funded in whole or in part with award funds is subject to any "information-communication restriction."					
	B. In addition, with respect to any project costs it incurs "at risk," the recipient may not obligate award funds to reimburse itself if at the time it incurs such costs the "program or activity" of the recipient (or of any subrecipient at any tier that is a either a State or unit of local government or a "public" institution of higher education) that would be reimbursed in whole or in part with award funds was subject to any "information-communication restriction."					
	C. Any drawdown of award funds by the recipient shall be considered, for all purposes, to be a material representation by the recipient to OJP that, as of the date the recipient requests the drawdown, the recipient and all subrecipients (regardless of tier) are in compliance with 8 U.S.C. 1373.					
	D. The recipient must promptly notify OJP (in writing) if the recipient, from its requisite monitoring of compliance with award conditions or otherwise, has credible evidence that indicates that the funded "program or activity" of the recipient, or of any subrecipient at any tier that is either a State or a local government or a "public" institution of higher education, may be subject to any "information-communication restriction." In addition, any subaward (at any tier) to a subrecipient that is either a State or a local government or a "public" institution must require prompt notification to the entity that made the subaward, should the subrecipient such credible evidence regarding an "information-communication."					
	higher "progr	education must provide that the subrecip	that is either a State or a local government or a ient may not obligate award funds if, at the time any further such subrecipient at any tier) that is ation-communication restriction."	e of the obligation, the		
	circum transite funds t such d monite	nstances (e.g., a small amount of award fu ory non-compliance, which was unknown that, under this condition, may not be made etermination, DOJ will give great weight	DOJ to the contrary, based upon a finding by D unds obligated by the recipient at the time of a su- to the recipient despite diligent monitoring), and de shall be unallowable costs for purposes of this to evidence submitted by the recipient that demi- requirements set out in the award condition ent	ubrecipient's minor and ny obligations of award is award. In making any nonstrates diligent		
	4. Rules of Construction					
	A. For purposes of this condition "information-communication restriction" has the meaning set out in the award condition entitled "Ongoing compliance with 8 U.S.C. 1373 is required."					
		ion entitled Ongoing compliance with 8	e.s.e. 1575 is iequired.			

SUPERIOR OF THE	Surray Surray	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 18 OF 21	
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		SPECIAL	CONDITIONS		
55.	Requir	red State-level rules or practices related to	aliens; allowable costs		
			of this award, if the recipient is a State government whether or not the recipient is a State government		
	1. Req	uirements			
			funded (in whole or in part) by this award, as of er of the period of performance for the award	the date the recipient	
	agents correct	of the United States acting under color of tional facility for the purpose of permittin	policy, or -practice, must be in place that is desig f federal law in fact are given to access any State ag such agents to meet with individuals who are (lividuals' right to be or remain in the United State	(or State-contracted) or are believed by such	
	when a Immig in such	a State (or State-contracted) correctional f ration and Nationality Act that seeks adv	policy, or -practice, must be in place that is design facility receives from DHS a formal written requance notice of the scheduled release date and time ch request and as early as practicable (see para HS.	est authorized by the e for a particular alien	
	2. Mor	nitoring			
	The re conditi		de monitoring of subrecipient compliance with t	he requirements of this	
	3. Allowable costs				
	are not reimbu statute	t reimbursed under any other federal prog irsements) for the reasonable, necessary, s, rules, regulations, policies, and practice	prized and priority purpose of this award. To the gram, award funds may be obligated (including for and allocable costs (if any) of (1) developing a es to satisfy this condition, and (2) permitting acc from DHS that is encompassed by para. 1.B. abo	or authorized nd putting into place cess as described in	
	4. Rule	es of construction			
	A. For	purposes of this condition			
	(1) the 1101(a		section 101 of the Immigration and Nationality	Act (see 8 U.S.C.	
		term "correctional facility" means what is Act of 1968 (see 42 U.S.C. 3791(a)(7)).	it means under the Title I of the Omnibus Crime	Control and Safe	
	State of		I to authorize or require any recipient, any subred r individual to maintain (or detain) any individua eleased in the absence of this condition.		
	hours,		lvance notice of scheduled release "as early as pr (17)). In the event that (e.g., in light of the date D are such as not to permit the advance potice that	HS made such request)	

OTHER DUCK TO THE	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 19 OF 21		
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advan sched C. Bo	E: Current DHS practice is to use one form ce notice of scheduled release, and to requ uled release. This condition imposes NO r th the "Rules of Construction" and the "In	nportant Note" set out in the award condition enti	urs AFTER the on. tled "Ongoing		
compl 56. Requi The fo apply gover 1. Re With a accept A. A policy federa purpo inquir B. A policy contra Nation then s para. 4 2. Mo	 scheduled release. This condition imposes NO requirements as to such DHS requests for detention. C. Both the "Rules of Construction" and the "Important Note" set out in the award condition entitled "Ongoing compliance with 8 U.S.C. 1373 is required" are incorporated by reference as though set forth here in full. Required local-government-level rules or practices related to aliens; allowable costs The following provisions apply to the recipient of this award, if the recipient is a unit of local government, and also apply to any local-government subrecipient of this award at any tier (whether or not the recipient itself is a unit of local government). 1. Requirements With respect to the "program or activity" that is funded (in whole or in part) by this award, as of the date the recipient accepts this award, and throughout the remainder of the period of performance for the award A. A local ordinance, -rule, -regulation, -policy, or -practice (or an applicable State statute, -rule, -regulation, -policy, or practice) must be in place that is designed to ensure that agents of the United States acting under color of federal law in fact are given access a local-government (or local-government-contracted) correctional facility for the purpose of permitting such agents to meet with individuals who are (or are believed by such agents to be) aliens and to inquire as to such individuals' right to be or remain in the United States. B. A local ordinance, -rule, -regulation, -policy, or -practice (or an applicable State statute, -rule, -regulation, -policy, or -practice (or an applicable State statute, -rule, -regulation, -policy, or -practice (or an applicable State statute, -rule, -regulation, -policy, or -practice) must be in place that is designed to ensure that, when a local-government-contracted) correctional facility receives from DHS a formal written request authorized by the Immigration and Nationality Act that seeks advance notice of the schedu				
statute descri 4. Ru A. Th with 8 B. Th	es, ordinances, rules, regulations, policies, bed in para. 1.A. above, and (3) honoring les of construction ne "Rules of Construction" and the "Impor B U.S.C. 1373 is required" are incorporated	and allocable costs (if any) of (1) developing ar and practices to satisfy this condition, (2) permit any request from DHS that is encompassed by pa tant Note" set out in the award condition entitled d by reference as though set forth here in full. ward condition entitled "Required State-level rule eference as though set forth here in full.	ting access as ira. 1.B. above. "Ongoing compliance		

OF REAL PROPERTY OF REA	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 20 OF 21		
PROJECT N	JMBER 2017-DJ-BX-0082	AWARD DATE 06/26/2018			
	SPECIAL	CONDITIONS			
57.	Use of funds for DNA testing; upload of DNA	profiles			
		lentiary materials, any resulting eligible DNA pr " the DNA database operated by the FBI) by a g			
	No profiles generated under this award may be prior express written approval from BJA.	entered or uploaded into any non-governmental	DNA database without		
	Award funds may not be used for the purchase of be accepted for entry into CODIS.	of DNA equipment and supplies unless the resul	ting DNA profiles may		
58.	Encouragement of submission of "success storie	es"			
	story, sign in to a My BJA account at https://ww the recipient does not yet have a My BJA account one of the available areas on the My BJA page	t annual (or more frequent) JAG success stories. ww.bja.gov/Login.aspx to access the Success Stories, int, please register at https://www.bja.gov/profile will be "My Success Stories." Within this box, th by BJA, all success stories will appear on the BJA aspx.	bry Submission form. If e.aspx. Once registered, here is an option to add		
59.	"Methods of Administration" - monitoring com	pliance with civil rights laws and nondiscriminat	tion provisions		
	rights laws and nondiscrimination provisions. V submit to OJP's Office for Civil Rights (at Civil for subrecipient monitoring with respect to civil	ade monitoring of subrecipient compliance with a Within 90 days of the date of award acceptance, IRightsMOA@usdoj.gov) written Methods of Ad I rights requirements. In addition, upon request nake associated documentation available for revi	the recipient must dministration ("MOA") by OJP (or by another		
	https://ojp.gov/funding/Explore/StateMethodsA	to Methods of Administration are posted on the admin-FY2017update.htm (Award condition: "M tates (FY 2017 Update)), and are incorporated b	lethods of		
60.	Requirement to disclose whether recipient is de	signated "high risk" by a federal grant-making a	gency outside of DOJ		
	If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.				

STATENT OF	ALL STATES	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 21 OF 21	
PROJECT N	UMBER	2017-DJ-BX-0082	AWARD DATE	06/26/2018		
		SPECIAL	CONDITIONS			
61.	Reclas	sification of various statutory provisions	to a new Title 34	of the United States Code		
	On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code. Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in					
		al incorporated by reference through awa				
62.	Withh	olding of funds: Required certification fro	om the chief exec	utive of the applicant governme	nt	
	"Certif	cipient may not obligate, expend, or draw fications and Assurances by the Chief Exa nined by OJP), and a Grant Adjustment N	ecutive of the Ap	plicant Government," properly-e	executed (as	
63.	Recipient integrity and performance matters: Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS					
	The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIIS").					
	crimin "FAPI Recipi	etails of recipient obligations regarding th al, and administrative proceedings to the IS") within SAM are posted on the OJP v ent Integrity and Performance Matters, in nce here.	federal designate web site at https://	d integrity and performance systojp.gov/funding/FAPIIS.htm (A	tem (currently, ward condition:	
64.	SORN	A final agency decision - Appeals				
	The recipient acknowledges the final agency decision made by DOJ that recipient's jurisdiction did not substantially implement the Sex Offender Registration and Notification Act (Public Law 109-248, "SORNA") before the deadline, and understands that, as a result of that final agency decision, the amount of this JAG award was reduced, pursuant to 42 U.S.C. 16925. By accepting this specific award, the recipient voluntarily agrees that if it elects to file a judicial appeal of that final agency decision, which was integral in determining this particular funding amount, no such appeal may commence more than 6 months after the date of acceptance of this award.					



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Incorporates NEPA Compliance in Further Developmental Stages for Virginia Dept of Criminal Justice Services

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

a. New construction;

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

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

d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and

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

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see https://www.bja.gov/Funding/nepa.html.

Please be sure to carefully review the grant conditions on your award document, as it may contain more specific information about environmental compliance.

CONTRACTOR OF THE STATE	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY Grant			
JUSTICE V		PROJECT NUMBER	B		
		2017-DJ-BX-0082		PAGE 1 OF 1	
	under FY17(BJA - JAG State and JAG Local) Title I c ied at 42 U.S.C. 3750 - 3758); see also 28 U.S.C. 530C		ified at 42 U.S.C	. 3711 - 3797ff-5), including	
1. STAFF CONTACT (N	ame & telephone number)	2. PROJECT DIRECTOR (Name	, address & telep	hone number)	
Dawn K. Hill (202) 598-7513		Janice Waddy Grants Administrator 1100 Bank Street Richmond, VA 23219-3640 (804) 786-4011			
3a. TITLE OF THE PRO	GRAM			DE (SEE INSTRUCTIONS	
4. TITLE OF PROJECT	e Memorial Justice Assistance Grant (JAG) Program -	State Solicitation	ON REVE	K3E)	
5. NAME & ADDRESS	OF GRANTEE	6. NAME & ADRESS OF SUBG	RANTEE		
Virginia Dept of Crin 1100 Bank Street Richmond, VA 2321					
7. PROGRAM PERIOD		8. BUDGET PERIOD			
FROM: 10/	01/2016 TO: 09/30/2020	FROM: 10/01/2016	5 TO: (09/30/2020	
9. AMOUNT OF AWAR	D	10. DATE OF AWARD			
\$ 3,353,534		06/26/2018			
11. SECOND YEAR'S B	UDGET	12. SECOND YEAR'S BUDGET AMOUNT			
13. THIRD YEAR'S BUI	DGET PERIOD	14. THIRD YEAR'S BUDGET A	MOUNT		
15. SUMMARY DESCR	IPTION OF PROJECT (See instruction on reverse)	1			

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following program areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation) and 8) mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.

This State JAG award will be used to support criminal justice initiatives that fall under one or more of the allowable program areas above. Funded programs or

OJP FORM 4000/2 (REV. 4-88)

initiatives may include multijurisdictional drug and gang task forces, crime prevention and domestic violence programs, courts, corrections, treatment, justice information sharing initiatives, or other programs aimed at reducing crime and/or enhancing public/officer safety.

NCA/NCF

Exhibit F

Washington Byrne JAG Award Letter



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

June 26, 2018

Mr. Brian Bonlender Washington Department of Commerce 1011 Plum Street SE PO Box 42525 Olympia, WA 98504-2525

Dear Mr. Bonlender:

On behalf of Attorney General Jefferson Sessions III, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 17 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - State Solicitation in the amount of \$3,277,891 for Washington Department of Commerce.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Jeffrey S. Felten-Green, Program Manager at (202) 514-8874; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

RZ

Alan R. Hanson Principal Deputy Assistant Attorney General

Enclosures



Case 1:18-cv-06471 Document 1-6 Filed 07/18/18 Page 3 of 29

OFFICE FOR CIVIL RIGHTS

Office of Justice Programs U.S. Department of Justice 810 7th Street, NW Washington, DC 20531

Tel: (202) 307-0690 TTY: (202) 307-2027 E-mail: askOCR@usdoj.gov Website: www.ojp.usdoj.gov/ocr

June 26, 2018

Mr. Brian Bonlender Washington Department of Commerce 1011 Plum Street SE PO Box 42525 Olympia, WA 98504-2525

Dear Mr. Bonlender:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at http://ojp.gov/about/ocr/vawafaqs.htm.

Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website http://www.lep.gov.

Ensuring Equal Treatment for Faith-Based Organizations

The DOJ regulation, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Using Arrest and Conviction Records in Making Employment Decisions

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at http://www.ojp.usdoj.gov//about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOPs) (see below).

Complying with the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEOP (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), .205(c)(5)).

Meeting the EEOP Requirement

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at http://www.ojp.usdoj.gov/about/ocr/eeop.htm. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOsubmisson@usdoj.gov.

Meeting the Requirement to Submit Findings of Discrimination

If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

Ensuring the Compliance of Subrecipients

SAAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see http://www.ojp.usdoj.gov/funding/other_requirements.htm.

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,

Minh 2. also

Michael L. Alston Director

cc: Grant Manager Financial Analyst

	U.S. Depart Office of Ju Bureau o f	stice Prog	grams	ce	Grant		PAGE	1 OF 21
Cosilic								
1. RECIPIENT NAM	IE AND ADDRE	SS (Includir	ng Zip Code)		4. AWARD NUMBER: 2017-DJ-I	BX-0084		
Washington Department of Commerce 1011 Plum Street SE PO Box 42525 Olympia, WA 98504-2525			5. PROJECT PERIOD: FROM 10/01/2016 TO 09/30/2020 BUDGET PERIOD: FROM 10/01/2016 TO 09/30/2020					
					6. AWARD DATE 06/26/2018	7	. ACTION	
2a. GRANTEE IRS/ 910824820	VENDOR NO.				8. SUPPLEMENT NUMBER 00		Ini	tial
2b. GRANTEE DUN 808882302	IS NO.				9. PREVIOUS AWARD AMOUNT	I		\$ 0
3. PROJECT TITLE	Justice Assistanc	o Gront EEN	Z 2017		10. AMOUNT OF THIS AWARD		\$ 3,277	,891
w astinigion State	sustice Assistance		2017		11. TOTAL AWARD		\$ 3,277	,891
	UTHORITY FOR pported under FY 1 of part E (codif	17(BJA - JA ied at 42 U.	S.C. 3750 - 375	58); see also 28	I of Pub. L. No. 90-351 (generally cod U.S.C. 530C(a).	dified at 42 U.S.	C. 3711 - 3797f	f-5),
16.738 - Edward	Byrne Memorial J	ustice Assis	tance Grant Pro	ogram				
15. METHOD OF P. GPRS	AGENCY	APPROVAI				TEE ACCEPTA		
16. TYPED NAME	AND TITLE OF A	APPROVIN	G OFFICIAL		18. TYPED NAME AND TITLE OI	FAUTHORIZE	D GRANTEE C	OFFICIAL
Alan R. Hanson Principal Deputy	Assistant Attorne	y General			Brian Bonlender Director			
17. SIGNATURE OF			~		19. SIGNATURE OF AUTHORIZE	ED RECIPIENT	OFFICIAL	19A. DATE
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OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

REAL PROPERTY OF THE PROPERTY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 2 OF 21		
PROJECT NUMBER	2017-DJ-BX-0084	AWARD DATE 06/26/2018			
	SPECIAL	CONDITIONS			
1. Requi	rements of the award; remedies for non-co	ompliance or for materially false statements			
submi		ements of the award. Compliance with any certifelate to conduct during the period of performance			
condi may r award	tion incorporated by reference below, or a esult in the Office of Justice Programs ("C l. Among other things, the OJP may with	e award requirements whether a condition set or certification or assurance related to conduct durin DJP") taking appropriate action with respect to the hold award funds, disallow costs, or suspend or ter DJP, also may take other legal action as appropriat	ng the award period recipient and the rminate the award.		
or om and/or	ission of a material fact) may be the subject	tement to the federal government related to this a ct of criminal prosecution (including under 18 U. mposition of civil penalties and administrative ren 730 and 3801-3812).	S.C. 1001 and/or 1621,		
shall t	first be applied with a limited construction instead, that the provision is utterly invalid	ward be held to be invalid or unenforceable by its so as to give it the maximum effect permitted by d or -unenforceable, such provision shall be deeme	law. Should it be		
2. Appli	cability of Part 200 Uniform Requirement	S			
and su		st Principles, and Audit Requirements in 2 C.F.R.) (together, the "Part 200 Uniform Requirements"			
supple Decer (regar	The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2017 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2017 award.				
		200 Uniform Requirements as they relate to OJP .gov/funding/Part200UniformRequirements.htm.	awards and subawards		
that m		s from documents or other materials prepared or one way from, the provisions of the Part 200 Uniformation.			
3. Comp	liance with DOJ Grants Financial Guide				
DOJ (rants Financial Guide as posted on the OJP websit //ojp.gov/financialguide/DOJ/index.htm), includin ance.			

STRENT OR OF	Contraction of the second seco	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONT SHEI Grai	ET	PAGE 3 OF 21
PROJECT NU	MBER	2017-DJ-BX-0084	AWARD DATE 06/26/2	2018	
4.	Both t compl recipio this co In the FPOC calence POC). compl A list purpo includ The re compl	SPECIAL red training for Point of Contact and all Fi the Point of Contact (POC) and all Financia leted an "OJP financial management and g ent's acceptance of the award. Successful ondition. event that either the POC or an FPOC for 2 must have successfully completed an "OJ lar days after (1) the date of OJP's appro- o, or (2) the date the POC enters informatio letion of such a training on or after January of OJP trainings that OJP will consider "C ses of this condition is available at https://v le a session on grant fraud prevention and of ecipient should anticipate that OJP will imm by with this condition. The recipient's failu- tions on this award.	al Points of Contact (FPO rant administration trainin completion of such a train this award changes during P financial management a val of the "Change Grante n on the new FPOC in GM v 1, 2015, will satisfy this UP financial management www.ojp.gov/training/fmt detection.	DCs) for this award musing" by 120 days after thing on or after January g the period of performand grant administration ee Contact" GAN (in the AS (in the case of a new condition.	e date of the 1, 2015, will satisfy ance, the new POC or n training" by 120 e case of a new v FPOC). Successful on training" for at satisfy this condition recipient fails to
5.	A reci indire OJP in Unifo by the Requi If the funds of tho identic award award	rements related to "de minimis" indirect co pient that is eligible under the Part 200 Ur ct cost rate described in 2 C.F.R. 200.414(n writing of both its eligibility and its elect rm Requirements. The "de minimis" rate r e Part 200 Uniform Requirements. rement to report potentially duplicative fur recipient currently has other active awards during the period of performance for this a se other federal awards have been, are bein cal cost items for which funds are provided ing agency (OJP or OVW, as appropriate) ing agency, must seek a budget-modificati nate any inappropriate duplication of fundi	iform Requirements and f), and that elects to use th ion, and must comply wit may be applied only to mo nding of federal funds, or if the ward, the recipient promp ng, or are to be used (in w l under this award. If so, in writing of the potentia on or change-of-project-s	he "de minimis" indirec h all associated require odified total direct costs e recipient receives any ptly must determine wh hole or in part) for one the recipient must pron l duplication, and, if so	t cost rate, must advise ments in the Part 200 s (MTDC) as defined other award of federal mether funds from any or more of the mptly notify the DOJ requested by the DOJ

S OF LEVEL STICE Y	ALL AND A	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 4 OF 21
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		SPECIAL	CONDITIONS		
7.	Requir	ements related to System for Award Mar		versal Identifier Requirements	
	current as well	cipient must comply with applicable required accessible at https://www.sam.gov/. The as maintaining the currency of informatic cipient also must comply with applicable	This includes appl ion in SAM.	icable requirements regarding re	egistration with SAM,
		er "subgrantees"), including restrictions on the unique entity identifier required for			rovide (to the
	at https	tails of the recipient's obligations related s://ojp.gov/funding/Explore/SAM.htm (A ier Requirements), and are incorporated b	ward condition:	System for Award Management	
		ondition does not apply to an award to an siness or non-profit organization that he			erson (i.e., unrelated to
8.	All sub	pawards ("subgrants") must have specific	federal authoriza	tion	
	authori	cipient, and any subrecipient ("subgranted ization of any subaward. This condition a strative requirements OJP considers a act").	applies to agreem	ents that for purposes of feder	al grants
	https://	tails of the requirement for authorization (ojp.gov/funding/Explore/SubawardAuthor) c federal authorization), and are incorpor	orization.htm (Av	vard condition: All subawards (
9.		ic post-award approval required to use a 1 \$150,000	noncompetitive ap	pproach in any procurement con	tract that would
	specifi Simpli	cipient, and any subrecipient ("subgranted c advance approval to use a noncompetiti fied Acquisition Threshold (currently, \$1 grants administrative requirements OJ ward).	ive approach in an 50,000). This co	ny procurement contract that wo ndition applies to agreements th	uld exceed the at for purposes of
	an OJF (Awar	tails of the requirement for advance appr award are posted on the OJP web site at d condition: Specific post-award approva tract would exceed \$150,000)), and are in	https://ojp.gov/fu al required to use	inding/Explore/Noncompetitive a noncompetitive approach in a	Procurement.htm

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		SPECIAL	CONDITIONS			
10.		rements pertaining to prohibited conduct r athority to terminate award)	elated to trafficki	ng in persons (including reporti	ng requirements and	
	require part of of the The de OJP w	cipient, and any subrecipient ("subgranted ements to report allegations) pertaining to recipients, subrecipients ("subgrantees"), recipient or of any subrecipient. etails of the recipient's obligations related eb site at https://ojp.gov/funding/Explore, et by recipients and subrecipients related to	o prohibited condu , or individuals de to prohibited con /ProhibitedCondu	tet related to the trafficking of per efined (for purposes of this cond duct related to trafficking in per tet-Trafficking.htm (Award cond	ersons, whether on the ition) as "employees" sons are posted on the lition: Prohibited	
		ity to terminate award)), and are incorpor-			mements and OJP	
11.	Compl other e	iance with applicable rules regarding app	roval, planning, a	and reporting of conferences, me	eetings, trainings, and	
	policie applica	cipient, and any subrecipient ("subgranted s, and official DOJ guidance (including s able) governing the use of federal funds fo ing the provision of food and/or beverage	pecific cost limits or expenses relate	s, prior approval and reporting re ed to conferences (as that term is	equirements, where defined by DOJ),	
		nation on the pertinent DOJ definition of c Financial Guide (currently, as section 3.1 ').				
12.	Requir	rement for data on performance and effect	tiveness under the	e award		
	The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.					
13.	OJP T	raining Guiding Principles				
	deliver	aining or training materials that the recipi rs with OJP award funds must adhere to the ble at https://ojp.gov/funding/ojptrainingg	he OJP Training O	Guiding Principles for Grantees		
14.	Effect	of failure to address audit issues				
	award does ne Requir	cipient understands and agrees that the D funds, or may impose other related requin ot satisfactorily and promptly address out rements (or by the terms of this award), or gations, or reviews of DOJ awards.	rements, if (as det tstanding issues fr	ermined by the DOJ awarding a om audits required by the Part 2	gency) the recipient 00 Uniform	
15.	Potent	ial imposition of additional requirements				
	(OJP o	cipient agrees to comply with any addition or OVW, as appropriate) during the period or purposes of the DOJ high-risk grantee	d of performance			

STATENTORY	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 6 OF 21
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	SPECIAL	CONDITIONS	
16.	Compliance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Par	rt 42
		e") at any tier, must comply with all applicable re- cable requirements in Subpart E of 28 C.F.R. Part	
17.	Compliance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Par	rt 54
		e") at any tier, must comply with all applicable re- on on the basis of sex in certain "education progra	
18.	Compliance with DOJ regulations pertaining to	civil rights and nondiscrimination - 28 C.F.R. Par	rt 38
	C.F.R. Part 38, specifically including any applic	e") at any tier, must comply with all applicable re- cable requirements regarding written notice to pro 8 C.F.R., a DOJ regulation, was amended effectiv	gram beneficiaries and
	religion, a religious belief, a refusal to hold a rel Part 38 also sets out rules and requirements that	rules that prohibit specific forms of discrimination ligious belief, or refusal to attend or participate in pertain to recipient and subrecipient ("subgranted es, as well as rules and requirements that pertain ganizations.	a religious practice. ") organizations that
	available via the Electronic Code of Federal Reg	rships with Faith-Based and Other Neighborhood gulations (currently accessible at https://www.ecfi 28-Judicial Administration, Chapter 1, Part 38, ur	r.gov/cgi-
19.	Restrictions on "lobbying"		
	subrecipient ("subgrantee") at any tier, either dia modification, or adoption of any law, regulation	nds awarded by OJP may not be used by the recip rectly or indirectly, to support or oppose the enact a, or policy, at any level of government. See 18 U te specifically authorizes certain activities that oth	ment, repeal, .S.C. 1913. (There
	subrecipient at any tier, to pay any person to inf. Congress, or Congress (or an official or employe cooperative agreement, subgrant, contract, subc	funds awarded by OJP from being used by the rec luence (or attempt to influence) a federal agency, ee of any of them) with respect to the awarding of ontract, or loan, or with respect to actions such as 352. Certain exceptions to this law apply, including	a Member of f a federal grant or renewing, extending,
		ular use of federal funds by a recipient (or subrect ecipient is to contact OJP for guidance, and may r	

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		SPECIAL	CONDITIONS	
20.	Comp	liance with general appropriations-law res	strictions on the use of federal funds (FY 2017)	
	federal provise https:// Should fall wi	l funds set out in federal appropriations st ions" in the Consolidated Appropriations /ojp.gov/funding/Explore/FY17Appropria d a question arise as to whether a particula	ationsRestrictions.htm, and are incorporated by a ar use of federal funds by a recipient (or a subre- estriction, the recipient is to contact OJP for guid	rious "general reference here. cipient) would or might
21.	Report	ting potential fraud, waste, and abuse, and	d similar misconduct	
	The re Genera person miscon Potent OIG b 950 Pe	cipient, and any subrecipients ("subgrant al (OIG) any credible evidence that a prin has, in connection with funds under this itted a criminal or civil violation of laws nduct. ial fraud, waste, abuse, or misconduct inv y (1) mail directed to: Office of the Insp ennsylvania Avenue, N.W. Room 4706, V	ees") at any tier, must promptly refer to the DOJ acipal, employee, agent, subrecipient, contractor, award (1) submitted a claim that violates the H pertaining to fraud, conflict of interest, bribery, g volving or relating to funds under this award sho pector General, U.S. Department of Justice, Inver- Washington, DC 20530; (2) e-mail to: oig.hotline anglish and Spanish) at (800) 869-4499 (phone) of	subcontractor, or other False Claims Act; or (2) gratuity, or similar uld be reported to the stigations Division, e@usdoj.gov; and/or (3)
	Additi	onal information is available from the DO	OJ OIG website at https://www.usdoj.gov/oig.	

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22.	Restrict No rec subcor agreen accord departu The fo require sensiti nondis 1. In a a. repu or com contract b. cert agreen or abu: writter obligat 2. If th both a. it rec (1) it I (wheth require prohib fraud, (2) it I b. it counted the fed	SPECIAL ctions and certifications regarding non-dis- ipient or subrecipient ("subgrantee") und ntract with any funds under this award, m- nent or statement that prohibits or otherw ance with law) of waste, fraud, or abuse to ment or agency authorized to receive such regoing is not intended, and shall not be to ements applicable to Standard Form 312 (ve compartmented information), or any of closure of classified information. Accepting this award, the recipient resents that it neither requires nor has required tractors that currently prohibit or otherwi- ctors from reporting waste, fraud, or abuse tifies that, if it learns or is notified that it nontification to the federal agency makin tions only if expressly authorized under the epresents that has determined that no other entity that the ter through a subaward ("subgrant"), pro- ses or has required internal confidentiality it or otherwise currently restrict (or purpor or abuse as described above; and has made appropriate inquiry, or otherwise ertifies that, if it learns or is notified that it this award is or has been requiring its em- erwise restrict (or purport to prohibit or re- liately stop any further obligations of award is a subaward ("subgrant"), pro-	<i>CONDITIONS</i> sclosure agreements and related matters er this award, or entity that receives a procureme ay require any employee or contractor to sign an ise restricts, or purports to prohibit or restrict, the to an investigative or law enforcement representa h information. understood by the agency making this award, to a (which relates to classified information), Form 44 ther form issued by a federal department or agen uired internal confidentiality agreements or state se currently restrict (or purport to prohibit or rest as described above; and is or has been requiring its employees or contract wise restrict (or purport to prohibit or restrict), rep y stop any further obligations of award funds, will g this award, and will resume (or permit resumpt	internal confidentiality e reporting (in trive of a federal contravene H14 (which relates to cy governing the ments from employees rict) employees or cors to execute porting of waste, fraud, 1 provide prompt ion of) such urement contracts, or ceive award funds ement contract, or ceive award funds ement contract) either ntractors that currently rs from reporting waste, epresentation; and ity that receives funds statements that prohibit cribed above, it will t written notification to

	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 9 OF 21
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	SPECIAL	CONDITIONS	
23.	Compliance with 41 U.S.C. 4712 (including pro	bibitions on reprisal; notice to employees)	
	U.S.C. 4712, including all applicable provisions employee as reprisal for the employee's disclosu gross waste of federal funds, an abuse of author health or safety, or a violation of law, rule, or re The recipient also must inform its employees, in	n writing (and in the predominant native language	rrimination against an at of a federal grant, a ecific danger to public
	employee rights and remedies under 41 U.S.C. 4 Should a question arise as to the applicability of contact the DOJ awarding agency (OJP or OVW	f the provisions of 41 U.S.C. 4712 to this award, t	he recipient is to
24.	Encouragement of policies to ban text messagin	g while driving	
	51225 (October 1, 2009), DOJ encourages recip banning employees from text messaging while of	eadership on Reducing Text Messaging While Dri pients and subrecipients ("subgrantees") to adopt a driving any vehicle during the course of performing and conduct education, awareness, and other ou	nd enforce policies ng work funded by this
25.	Cooperating with OJP Monitoring		
	procedures, and to cooperate with OJP (includin Officer (OCFO)) requests related to such monitor recipient agrees to provide to OJP all documenta documentation related to any subawards made us deadlines set by OJP for providing the requested result in actions that affect the recipient's DOJ a	itoring of this award pursuant to OJP's guidelines ing the grant manager for this award and the Office oring, including requests related to desk reviews a ation necessary for OJP to complete its monitorin under this award. Further, the recipient agrees to a d documents. Failure to cooperate with OJP's mon wards, including, but not limited to: withholdings nds; referral to the DOJ OIG for audit review; des ation of an award(s).	of Chief Financial and/or site visits. The g tasks, including abide by reasonable nitoring activities may and/or other
26.	FFATA reporting: Subawards and executive co	ompensation	
	more and, in certain circumstances, to report the executives of the recipient and first-tier subrecip obligations, which derive from the Federal Func-	irements to report first-tier subawards ("subgrants e names and total compensation of the five most h pients (first-tier "subgrantees") of award funds. T ting Accountability and Transparency Act of 2000 Explore/FFATA.htm (Award condition: Reporting by reference here.	ighly compensated he details of recipient 6 (FFATA), are posted
		ent, does not apply to (1) an award of less than S ward as a natural person (i.e., unrelated to any bu in his or her name).	

STONENT OF IC	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 10 OF 21
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	SPECIAL	CONDITIONS	
27.	Use of program income		
	Program income (as defined in the Part 200 Uni the Part 200 Uniform Requirements. Program in Federal Financial Report, SF 425.	form Requirements) must be used in accordance ncome earnings and expenditures both must be r	
28.	Justice Information Sharing		
	public safety community, the recipient (and any Information Sharing Initiative (DOJ's Global) g shall conform to the Global Standards Package https://it.ojp.gov/gsp_grantcondition. The recipi	able interoperability among disparate systems ac subrecipient at any tier) must comply with DO. uidelines and recommendations for this particula (GSP) and all constituent elements, where applic ient shall document planned approaches to inform e privacy policy that protects shared information, recommended.	J's Global Justice ar award. The recipient cable, as described at: nation sharing and
29.	Avoidance of duplication of networks		
	sharing systems which involve interstate connect possible, existing networks as the communication	stems in any initiatives funded by BJA for law e ctivity between jurisdictions, such systems shall on backbone to achieve interstate connectivity, u requirement would not be cost effective or would em.	employ, to the extent nless the recipient can
30.	Compliance with 28 C.F.R. Part 23		
	any subrecipient at any tier) must comply with 2		operating Policies, if applicable, OJP may, at F.R. Part 23 occur, the
31.	Protection of human research subjects		
		must comply with the requirements of 28 C.F.R. n of human research subjects, including obtainme ject informed consent.	
32.	Confidentiality of data		
	and 28 C.F.R. Part 22 that are applicable to colle	must comply with all confidentiality requiremen ection, use, and revelation of data or information mit a Privacy Certificate that is in accord with re 23.	n. The recipient further

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33.	Verification and updating of recipient conta	CIAL CONDITIONS act information act(POC), Financial Point of Contact (FPOC), and A	uthorized
		S, including telephone number and e-mail address. In ent Notice (GAN) must be submitted via the Grants N	
34.	Law enforcement task forces - required trai	ining	
	who is a task force commander, agency exe must complete required online (internet-bas	a current member of a law enforcement task force fur ecutive, task force officer, or other task force membe sed) task force training. Additionally, all future task od of performance for this award, or once every four	er of equivalent rank, force members must
	Leadership (www.ctfli.org). The training ac privacy and civil liberties/rights, task force	harge online through the BJA-funded Center for Task ddresses task force effectiveness, as well as other key performance measurement, personnel selection, and upport a task force, the recipient must compile and n tion certificates.	y issues including task force oversight and
	Additional information regarding the training Integrity and Leadership (www.ctfli.org).	ng is available through BJA's web site and the Cente	er for Task Force
35.	Required attendance at BJA-sponsored eve	nts	
	The recipient (and its subrecipients at any t events, or conferences held by BJA or its d	ier) must participate in BJA-sponsored training even esignees, upon BJA's request.	ts, technical assistance
36.	Justification of consultant rate		
		pproval of any consultant rate in excess of \$650 per c oved by the OJP program office prior to obligation o	

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	SPECIAL	CONDITIONS	
37.	Compliance with National Environmental Policy	y Act and related statutes	
	Environmental Policy Act (NEPA), the National impact analyses requirements in the use of these Accordingly, the recipient agrees to first determ to obligating funds for any of these purposes. If the award, the recipient agrees to contact BJA. The recipient understands that this condition app specifically funded with these award funds. Tha	It at any tier) must assist BJA in complying with a l Historic Preservation Act, and other related fede e award funds, either directly by the recipient or b ine if any of the following activities will be funde it is determined that any of the following activities plies to new activities as set out below, whether o t is, as long as the activity is being conducted by needs to be undertaken in order to use these awar condition are:	eral environmental y a subrecipient. ed by the grant, prior es will be funded by r not they are being the recipient, a
	a. New construction;		
		v located in an environmentally or historically sen , a wetland, or habitat for endangered species, or a istoric Places;	
	c. A renovation, lease, or any proposed use of a prior use or (b) significantly change its size;	building or facility that will either (a) result in a c	change in its basic
		the use of chemicals other than chemicals that are b) traditionally used, for example, in office, house	
	e. Implementation of a program relating to cland identification, seizure, or closure of clandestine	lestine methamphetamine laboratory operations, i methamphetamine laboratories.	including the
	Assessment and/or an Environmental Impact Sta	lying with NEPA may require the preparation of a atement, as directed by BJA. The recipient further f a Mitigation Plan, as detailed at https://bja.gov//	r understands and
	subrecipients' existing programs or activities that	isting Programs or Activities: For any of the reci at will be funded by these award funds, the recipies a in any preparation by BJA of a national or progr	ent, upon specific
38.	Establishment of trust fund		
	required to establish a trust fund account. (The t including any interest, may not be used to pay d Edward Byrne Memorial Justice Assistance Gra funds in the trust fund (including any interest ea	e, the recipient (or a subrecipient, with respect to rust fund may or may not be an interest-bearing a ebts or expenses incurred by other activities beyo nt Program (JAG). The recipient also agrees to ol rned) during the period of performance for the av nexpended funds, including interest earned, must	ccount.) The fund, nd the scope of the bligate the award ward and expend

	C. SUVE	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 13 OF 21
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		SPECIAL	, CONDITIONS		
39.	Prohib	ition on use of award funds for match un	der BVP program		
		unds may be used to purchase vests for an ulletproof Vest Partnership (BVP) program		may not be used as the 50%	match for purposes of the
40.	Certifi	cation of body armor "mandatory wear"	policies		
	with fu certific resistan this aw	cipient agrees to submit a signed certifica unds from this award have a written "mar cations on file for any subrecipients planr nt body armor purchases. This policy mu yard may be used by an agency for body a han it be a mandatory wear policy for all	ndatory wear" poli ning to utilize func ist be in place for a armor. There are r	cy in effect. The recipient mu ls from this award for ballistic at least all uniformed officers to requirements regarding the	st keep signed c-resistant and stab- before any funds from
41.	Body a	armor - compliance with NIJ standards			
	level, r comply Armor Americ	ic-resistant and stab-resistant body armon nake or model, from any distributor or m y with applicable National Institute of Jus Model List (https://nij.gov/). In addition can-made. The latest NIJ standard inform pages/safety-initiative.aspx.	nanufacturer, as lo stice ballistic or st , ballistic-resistan	ng as the body armor has been ab standards and is listed on t t and stab-resistant body armo	n tested and found to he NIJ Compliant Body or purchased must be
42.	Requir	ed monitoring of subawards			
	award subawa specifi	cipient must monitor subawards under th conditions, and the DOJ Grants Financia ard. Among other things, the recipient is c outcomes and benefits attributable to u t, documentation of its policies and proce	l Guide, and must responsible for ov se of award funds	include the applicable condit rersight of subrecipient spendi by subrecipients. The recipient	ions of this award in any ng and monitoring of nt agrees to submit, upon
43.	Report	ing requirements			
	OJP's Perform measure Perform reporti	cipient must submit quarterly Federal Fir GMS (https://grants.ojp.usdoj.gov). Cons mance and Results Act (GPRA) and the G re the results of its work. The recipient n mance Measurement Tool (PMT) website ng and other JAG requirements, refer to eports by established deadlines may resul	sistent with the De GPRA Modernization nust submit quarte e (www.bjaperforn the JAG reporting	partment's responsibilities un tion Act of 2010, the recipient erly performance metrics repo mancetools.org). For more det requirements webpage. Failu	der the Government must provide data that rts through BJA's cailed information on re to submit required
44.	Requir	ed data on law enforcement agency train	ing		
	Any la				

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	SPECIAL	CONDITIONS	
45.	Prohibited Expenditures List		
		listed on the Prohibited Expenditure List at the ti ed from time to time. The Prohibited Expenditure ledPurchaseList.pdf	
46.	Controlled expenditures - prior written approval	l required	
	acquisition, including as the list may be amende	listed on the Controlled Expenditure List at the ti ed from time to time, without explicit written prio ns on how to request approval for purchase or acc rchaseList.pdf	r approval from BJA.
47.	Controlled expenditures - incident reporting		
	purchase or acquisition, including as the list ma at least 3 years) certain information about the us agency's inventory, and (2) any other controlled equipment in the agency's inventory, regardless	quire any item on the Controlled Expenditure Lis y be amended from time to time, the agency must se of (1) any federally-acquired Controlled Equi equipment in the same category as the federally- of source; and the agency must make that inform ust be collected and retained are set out at https://	collect and retain (for pment in the acquired controlled ation available to BJA
48.	Sale of items on Controlled Expenditure List		
		Iniform Requirements set out at 2 C.F.R. 200.313 ased with award funds may be transferred or sold	
	Agency (LEA) after obtaining prior written app	equipment, except riot helmets and riot shields, to roval from BJA. As a condition of that approval, ions to BJA as if it were requesting approval to us enditure List.	the acquiring LEA will
	b. Agencies may not transfer or sell any riot her	lmets or riot shields purchased under this award.	
	exception of fixed wing aircraft, rotary wing air sale is finalized, the agency must obtain prior w	lled Equipment purchased under this award to no craft, and command and control vehicles. Before ritten approval from BJA. All law enforcement-re and all law enforcement insignias and identifying	any such transfer or elated and other
	The recipient must notify BJA prior to the dispo award funds, and must abide by any applicable	osal of any items on the Controlled Expenditure L laws (including regulations) in such disposal.	ist purchased with
49.	Prohibited or controlled expenditures - Effect of	f failure to comply	
	Failure to comply with an award condition relat further approvals of controlled expenditures und	ed to prohibited or controlled expenditures may re- ler this or other federal awards.	esult in denial of any

PROJECT NUMBER 2017-DJ RAV 6081 JECLAI. CONDITIONE 5.1 Controlled expenditures - Standards Community Policing: (b) Construinted Totals and Specific Written policies and protocols governing General Policing Standards and Specific Controlled Equipment Standards. General Policing Standards includes policies socification of Community Policing: (b) Construinture Policies Specifications. Upon OVPs request, the recipient must provide a copy of the Accountability: rule (c) (a) (c) (c) (c) (c) (c) (c) (c) (c) (c) (c	STUDENT OF	STATES SUPPORT	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 15 OF 21
 Controlled expenditures - Standards Consistent with recommendation 2.1 of Executive Order 13688, a law enforcement agency that acquires controlled equipment with award funds must adopt robust and specific written policies and protocols governing General Policing Standards and Specific Controlled Equipment Standards. Community Policing: (b) Constitutional Policing; and (c) Community Input and Impact Considerations. Specific Controlled Equipment Standards includes policies and protocols. Supervision of Use; (c) Effectiveness Evaluation; (d) Auditing and Accountability; and (e) Transparency and Notice Considerations. Upon OJP's request, the recipient must provide a copy of the General Policing Standards and Specific Controlled Equipment Standards, and any related policies and protocols. Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after October 1, 2016 The recipient may obligate (federal) award funds only after the recipient makes a valia deceptance of the award. As of the first day of the period of performance for the award (October 1, 2016), however, the recipient may chose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum— (1) the recipient makes a valia deceptance of the award, and (2) all applicable withholding conditions are removed by OIP (via a Grant Adjustment Notice). (A withholding condition is a condition in the award funds until the condition is incurred "at-risk," if and when the recipient makes a valia dacceptance of this award and OIP removes each applicable withholding or division is obligate (federal) award. Except to the extent (if any) that an award condition expressly precludes reimbursement of project costs incurred "at-risk," if and when the recipient makes a valia dacceptance of this award and OIP removese each applicable	PROJECT N	UMBER	2017-DJ-BX-0084	AWARD DATE 06/26/2018	
 Consistent with recommendation 2.1 of Executive Order 13688, a law enforcement agency that acquires controlled equipment with award funds must adopt robust and specific written policies and protocols governing General Policing Standards and Specific Controlled Equipment Standards. General Policing Standards includes policies on (a) Community Policing; (b) Constitutional Policing; and (c) Community Pupt and Impact Considerations. Specific Controlled Equipment Standards includes policies specifically related to (a) Appropriate Use of Controlled Equipment; (b) Supervision of Use; (c) Effectivenese Stealuation; (d) Audifing and Accountability; and (c) Transparencey and Notice Considerations. Upon OIP's request, the recipient must provide a copy of the General Policing Standards and Specific Controlled Equipment Standards, and any related policies and protocols. Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after October 1, 2016 The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (October 1, 2016), however, the recipient may choose to incurre project costs using non-federal funds, but any such project costs are incurred at the recipient is fisk utili, at a minimum (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OIP (via a Grant Adjustment Notice). (A withholding condition is a condition in the award document that precludes the recipient makes a valid acceptance of this award and OIP removes each applicable withholding condition through a Grant Adjustment Notice, the recipient is authorized to obligate (federal) award funds to reimburse itself for project costs incurred "at-risk" earlier during the period of performance (such as project costs incurred prior to award acceptance or prior to removal of an applicable withholding condition), provided th			SPECIAL	CONDITIONS	
 The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (October 1, 2016), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OP (via a Grant Adjustment Notice, (1). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.) Except to the extent (if any) that an award condition expressly precludes reimbursement of project costs incurred "atrisk," if and when the recipient makes a valid acceptance of this award and OP removes each applicable withholding condition is removed.) Except to the extent (if any) that an award condition expressly precludes reimbursement of project costs incurred "atrisk," if and when the recipient numbers a valid acceptance of the sauthorized to obligate (federal) award funds to reimburse itself for project costs incurred "atrisk" earlier during the period of performance (such as project costs incurred prior to award acceptance or prior to removal of an applicable withholding condition), provided that those project costs otherwise are allowable costs under the award. Nothing in this condition shall be understood to authorize the recipient's certification (executed by the chief executive of the State or local government) that federal funds will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities. 52. "Certification of Compliance with 8 U.S.C. 1373" required for valid award acceptance by a "State" In order validly to accept this award, the prospective recip	50.	Consi equipt Stand Comm Contro (b) Su Consi	stent with recommendation 2.1 of Executi- ment with award funds must adopt robust a ards and Specific Controlled Equipment S nunity Policing; (b) Constitutional Policing olled Equipment Standards includes polici pervision of Use; (c) Effectiveness Evalua derations. Upon OJP's request, the recipier	and specific written policies and protocols govern tandards. General Policing Standards includes po g; and (c) Community Input and Impact Consider les specifically related to (a) Appropriate Use of (ation; (d) Auditing and Accountability; and (e) The nt must provide a copy of the General Policing St	ning General Policing licies on (a) rations. Specific Controlled Equipment; ransparency and Notice
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certification regarding 8 U.S.C. 1373, the State may submit a fully-executed award document executed by the State on		with 8 submi day th	B U.S.C. 1373" (executed by the chief legal tted to OJP together with the fully-execute e signed award document is submitted to 0	l officer of the State). Unless that executed certified award document, or (2) is uploaded in OJP's C	fication either (1) is MS no later than the
		certifi	cation regarding 8 U.S.C. 1373, the State		

PROJECT NUMBER 2017 DLBX 4084 AWARD DATE 08/25/018 SPECIAL CONDITIONS 5.1 Ongoing compliance with 8 U.S.C. 1373 is required a. With respect to the "program or activity" funded in whole or part under this award (including any such "program or activity" in granup citation in regaring citation is an "information citation is described in 8 U.S.C. 1373 (a); or (2) a government entity or agency from sending, requesting or receiving, maintaining, or exchanging information regaring citation of the information is a "information-communication restriction." 2. Certifications from subrecipients. The recipient may nor make a subward to a State or local government or a "public" institution of higher education, unless if first/Explore/Sample/	S CONTRACTOR DE LA CONT	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 16 OF 21			
 Ongoing compliance with 8 U.S.C. 1373 is required With respect to the "program or activity" funded in whole or part under this award (including any such "program or activity" of any subrecipient at any tier), throughout the period of performance for the award, no State or local government entity - enficial may prohibit or in any way government entity or -official from sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. 1373(a); or (2) a government entity or -frequest from sending, requesting or receiving, maintaining, or exchanging information regarding timmigration status as described in 8 U.S.C. 1373(b). For purposes of this award, any prohibition (or restriction) that violates this condition is an "information-communication restriction." Certifications from subrecipients. The receipient may not make a subaward to a State or local government or a "public" institution of higher education, unless it first obtains a certification of compliance with 8 U.S.C. 1373, properly executed by the chiel legal officer of the jurisdiction or institution that would receive the subaward, using the appropriate form available at https://ojp.gov/funding/Explore/Sample/Certifications-8/USC1373.hm. Similarly, the recipient mast require that no subtecipient (at any propriate CPF form. The recipient's monitoring responsibilities include monitoring of subrecipient compliance with 8 U.S.C. 1373, properly executed by the chiel legal officer of the jurisdiction or assituation that would receive the further subaward, using the appropriate CPF form. The recipient's monitoring responsibilities include monitoring of subrecipient any any bus obligated (including for authorized reimbursed under any other federal program, award funds may be obligated (including for authorized reimbursements) for the reasonable, necessary, and allocable costs (if any) that the recipient, or any subscipient at any tier that is a State or local gover	PROJECT NUMBE	R 2017-DJ-BX-0084	AWARD DATE 06/26/2018	<u> </u>			
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	Stat	e or local government, any "public" instituti	on of higher education, or any other entity (or ind				

CONTENT OR OF	A CONTRACT OF A	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 17 OF 21			
PROJECT NU	JMBER	2017-DJ-BX-0084	AWARD DATE 06/26/2018				
		SPECIAL	CONDITIONS				
		RTANT NOTE: Any questions about the acceptance.	meaning or scope of this condition should be c	lirected to OJP, before			
54.	Author	rity to obligate award funds contingent on	compliance with 8 U.S.C. 1373; unallowable of	costs; obligation to notify			
	1. If the	he recipient is a State or local government	t				
	recipie	ent (or of any subrecipient at any tier that i education) that is funded in whole or in p	if, at the time of the obligation, the "program of is a either a State or unit of local government of part with award funds is subject to any "informa	a "public" institution of			
	reimbu subrec	urse itself if at the time it incurs such co ipient at any tier that is a either a State or ould be reimbursed in whole or in part wit	it incurs "at risk," the recipient may not obligations of the "program or activity" of the recipient unit of local government or a "public" institution th award funds was subject to any "information	(or of any on of higher education)			
	C. Any drawdown of award funds by the recipient shall be considered, for all purposes, to be a material representation by the recipient to OJP that, as of the date the recipient requests the drawdown, the recipient and all subrecipients (regardless of tier) are in compliance with 8 U.S.C. 1373.						
	with av recipie educat subrec promp	ward conditions or otherwise, has credible ent, or of any subrecipient at any tier that i ion, may be subject to any "information-c ipient that is either a State or a local gove	writing) if the recipient, from its requisite moni e evidence that indicates that the funded "progra is either a State or a local government or a "pub communication restriction." In addition, any sub rnment or a "public" institution of higher educa ubaward, should the subrecipient such credible	am or activity [®] of the lic" institution of higher wavard (at any tier) to a tion must require			
	higher "progr	education must provide that the subrecipi	that is either a State or a local government or a ient may not obligate award funds if, at the time any further such subrecipient at any tier) that is attion-communication restriction."	of the obligation, the			
	circum transite funds t such d monite	nstances (e.g., a small amount of award fu ory non-compliance, which was unknown that, under this condition, may not be made etermination, DOJ will give great weight	DOJ to the contrary, based upon a finding by D nds obligated by the recipient at the time of a su- to the recipient despite diligent monitoring), and the shall be unallowable costs for purposes of the to evidence submitted by the recipient that demi- requirements set out in the award condition enter-	ubrecipient's minor and ny obligations of award is award. In making any constrates diligent			
	4. Rul	les of Construction					
		r purposes of this condition "information- ion entitled "Ongoing compliance with 8	communication restriction" has the meaning se U.S.C. 1373 is required."	t out in the award			
	B. Bo						

STUENT OF T	Number of States	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	CONTINUATION SHEET Grant	PAGE 18 OF 21
ROJECT NU	JMBER	2017-DJ-BX-0084	AWARD DATE	06/26/2018	
		SPECIAL	CONDITIONS		
55.	Requi	red State-level rules or practices related t	o aliens; allowable	costs	
	The fo any St	llowing provisions apply to the recipient ate-government subrecipient at any tier (t of this award, if the whether or not the	ne recipient is a State govern recipient is a State governm	nment, and also apply to nent).
	1. Req	uirements			
		espect to the "program or activity" that is s this award, and throughout the remaind			
	agents correct	State statute, or a State rule, -regulation, - of the United States acting under color of tional facility for the purpose of permittin to be) aliens and to inquire as to such ind	of federal law in fac ng such agents to n	ct are given to access any S neet with individuals who a	tate (or State-contracted) re (or are believed by such
	when a Immig in such	State statute, or a State rule, -regulation, - a State (or State-contracted) correctional gration and Nationality Act that seeks adv n facility, then such facility will honor su ion) provide the requested notice to DI	facility receives from vance notice of the ich request and a	om DHS a formal written re scheduled release date and	equest authorized by the time for a particular alien
	2. Moi	nitoring			
	The re condit	cipient's monitoring responsibilities incluion.	ude monitoring of s	subrecipient compliance wi	th the requirements of this
	3. Allo	owable costs			
	are not reimbu statute	liance with these requirements is an author t reimbursed under any other federal prog ursements) for the reasonable, necessary, s, rules, regulations, policies, and practic A. above, and (3) honoring any request	gram, award funds and allocable cost ces to satisfy this co	may be obligated (includin s (if any) of (1) developin ondition, and (2) permitting	g for authorized g and putting into place access as described in
	4. Rule	es of construction			
	A. For	purposes of this condition			
	(1) the 1101(a	term "alien" means what it means under a)(3)).	section 101 of the	Immigration and Nationali	ty Act (see 8 U.S.C.
		term "correctional facility" means what Act of 1968 (see 42 U.S.C. 3791(a)(7)).		Title I of the Omnibus Crin	me Control and Safe
	State of	thing in this condition shall be understood or local government, or any other entity on the time the individual would have been r	or individual to mai	intain (or detain) any indivi	
		nt DHS practice is ordinarily to request a if possible)." (See DHS Form I-247A (3,			

STREAT OF	THE SUM	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 19 OF 21
PROJECT N	UMBER	2017-DJ-BX-0084	AWARD DATE 06/26/2018	
		SPECIAL	CONDITIONS	
	advanc	e notice of scheduled release, and to requ	a (DHS Form I-247A (3/17)) for two distinct purplest that an individual be detained for up to 48 ho equirements as to such DHS requests for detention	urs AFTER the
			portant Note" set out in the award condition enti incorporated by reference as though set forth her	
56.	Requir	ed local-government-level rules or practic	ces related to aliens; allowable costs	
		o any local-government subrecipient of the	of this award, if the recipient is a unit of local go his award at any tier (whether or not the recipient	
	1. Rec	quirements		
			funded (in whole or in part) by this award, as of er of the period of performance for the award	the date the recipient
	policy, federal purpos	or -practice) must be in place that is desi law in fact are given access a local-gove	r, or -practice (or an applicable State statute, -rule gned to ensure that agents of the United States ac rnment (or local-government-contracted) correct individuals who are (or are believed by such agen ain in the United States.	cting under color of ional facility for the
	policy, contrac Nation then su	or -practice) must be in place that is desired) correctional facility receives from D ality Act that seeks advance notice of the	, or -practice (or an applicable State statute, -rule gned to ensure that, when a local-government (o PHS a formal written request authorized by the In scheduled release date and time for a particular as early as practicable (see "Rules of Construction sted notice to DHS.	r local-government- imigration and alien in such facility,
	2. Mo	nitoring		
	The re- conditi		de monitoring of subrecipient compliance with the	ne requirements of this
	3. Alle	owable costs		
	are not reimbu statute	reimbursed under any other federal prog resements) for the reasonable, necessary, a s, ordinances, rules, regulations, policies,	rized and priority purpose of this award. To the ram, award funds may be obligated (including fo and allocable costs (if any) of (1) developing ar and practices to satisfy this condition, (2) permit any request from DHS that is encompassed by pa	r authorized id putting into place ting access as
	4. Rul	es of construction		
			tant Note" set out in the award condition entitled I by reference as though set forth here in full.	"Ongoing compliance
		e "Rules of Construction" set out in the av ns; allowable costs" are incorporated by re	ward condition entitled "Required State-level rule eference as though set forth here in full.	es or practices related

STATESTICE STATESTICE ST	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD CONTINUATION SHEET Grant	PAGE 20 OF 21
PROJECT N	JMBER 2017-DJ-BX-0084	AWARD DATE 06/26/2018	
	SPECIAL	CONDITIONS	
57.	Use of funds for DNA testing; upload of DNA	profiles	
		lentiary materials, any resulting eligible DNA pro " the DNA database operated by the FBI) by a go	
	No profiles generated under this award may be prior express written approval from BJA.	entered or uploaded into any non-governmental I	ONA database without
	Award funds may not be used for the purchase of be accepted for entry into CODIS.	of DNA equipment and supplies unless the result	ing DNA profiles may
58.	Encouragement of submission of "success storie	es"	
	story, sign in to a My BJA account at https://ww the recipient does not yet have a My BJA account one of the available areas on the My BJA page	t annual (or more frequent) JAG success stories. vw.bja.gov/Login.aspx to access the Success Stor unt, please register at https://www.bja.gov/profile will be "My Success Stories." Within this box, th by BJA, all success stories will appear on the BJA spx.	ry Submission form. If .aspx. Once registered, ere is an option to add
59.	"Methods of Administration" - monitoring com	pliance with civil rights laws and nondiscriminat	ion provisions
	rights laws and nondiscrimination provisions. V submit to OJP's Office for Civil Rights (at Civil for subrecipient monitoring with respect to civil	de monitoring of subrecipient compliance with a Within 90 days of the date of award acceptance, t RightsMOA@usdoj.gov) written Methods of Ad rights requirements. In addition, upon request b nake associated documentation available for revie	he recipient must lministration ("MOA") by OJP (or by another
	https://ojp.gov/funding/Explore/StateMethodsA	to Methods of Administration are posted on the dmin-FY2017update.htm (Award condition: "Metates (FY 2017 Update)), and are incorporated by	ethods of
60.	Requirement to disclose whether recipient is dea	signated "high risk" by a federal grant-making ag	gency outside of DOJ
	during the course of the period of performance of information to OJP by email at OJP.Compliance includes any status under which a federal award performance, or other programmatic or financia the following: 1. The federal awarding agency t was designated high risk, 3. The high-risk point	deral grant-making agency outside of DOJ, curre under this award, the recipient must disclose that eReporting@ojp.usdoj.gov. For purposes of this ling agency provides additional oversight due to a concerns with the recipient. The recipient's disc hat currently designates the recipient high risk, 2 of contact at that federal awarding agency (name risk status, as set out by the federal awarding agency	fact and certain related disclosure, high risk the recipient's past closure must include . The date the recipient e, phone number, and

STATENTORY PROFESSION	A LANDARY CONTRACT OF	U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance	AWARD	OCONTINUATION SHEET Grant	PAGE 21 OF 21
PROJECT NU	JMBER	2017-DJ-BX-0084	AWARD DATE	06/26/2018	
		SPECIAL	CONDITIONS		
61.	Reclas	sification of various statutory provisions	to a new Title 34	of the United States Code	
	reclass numbe many p Effecti reclass Title 3	ptember 1, 2017, various statutory provisi ified to a new Title 34, entitled "Crime C or of statutory provisions pertinent to OJP provisions previously codified in Title 42 we as of September 1, 2017, any referenc ified to the new Title 34 of the U.S. Code 4. This rule of construction specifically i	control and Law E awards (that is, C of the U.S. Code e in this award do e is to be read as a ncludes reference	Enforcement." The reclassification DJP grants and cooperative agree becoment to a statutory provision a reference to that statutory proves set out in award conditions, reference	on encompassed a ements), including that has been ision as reclassified to ferences set out in
62.		al incorporated by reference through awa A final agency decision - Appeals	rd conditions, and	l references set out in other awa	rd requirements.
	implen and un 42 U.S appeal	cipient acknowledges the final agency de nent the Sex Offender Registration and N derstands that, as a result of that final age S.C. 16925. By accepting this specific aw of that final agency decision, which was pommence more than 6 months after the da	totification Act (P ency decision, the ard, the recipient integral in determ	Public Law 109-248, "SORNA") amount of this JAG award was voluntarily agrees that if it elect nining this particular funding am	before the deadline, reduced, pursuant to ts to file a judicial
63.	Withho	olding of funds: Required certification fro	om the chief exect	utive of the applicant government	nt
	"Certif	cipient may not obligate, expend, or draw fications and Assurances by the Chief Exe ined by OJP), and a Grant Adjustment N	ecutive of the App	plicant Government," properly-e	executed (as
64.		ent integrity and performance matters: R istrative proceedings to SAM and FAPIIS		port information on certain civil,	criminal, and
	crimin any oth circum System	cipient must comply with any and all app al, and administrative proceedings connec- her grant, cooperative agreement, or proce- istances, recipients of OJP awards are req a for Award Management (known as "SA ntly, "FAPIIS").	cted with (or conr urement contract uired to report int	nected to the performance of) eit from the federal government. U formation about such proceeding	her this OJP award or Inder certain gs, through the federal
	crimin "FAPI Recipi	etails of recipient obligations regarding th al, and administrative proceedings to the IS") within SAM are posted on the OJP w ent Integrity and Performance Matters, in ace here.	federal designated web site at https://	d integrity and performance syst ojp.gov/funding/FAPIIS.htm (A	em (currently, ward condition:

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U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To:Official Grant FileFrom:Orbin Terry, NEPA CoordinatorSubject:Incorporates NEPA Compliance in Further Developmental Stages for Washington
Department of Commerce

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

a. New construction;

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

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

d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and

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

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see https://www.bja.gov/Funding/nepa.html.

Please be sure to carefully review the grant conditions on your award document, as it may contain more specific information about environmental compliance.

STATUT OF US	U.S. Department of Justice Office of Justice Programs		GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY			
	Bureau of Justice Assistance	Grant				
OUSTICE V		PROJECT NUMBER				
		2017-DJ-BX-0084		PAGE 1 OF 1		
	under FY17(BJA - JAG State and JAG Local) Tit ied at 42 U.S.C. 3750 - 3758); see also 28 U.S.C.		dified at 42 U.S.C.	3711 - 3797ff-5), including		
1. STAFF CONTACT (N	ame & telephone number)	2. PROJECT DIRECTOR (Name	e, address & teleph	one number)		
Jeffrey S. Felten-Greek (202) 514-8874	1	William Johnston Program Manager 1011 Plum Street SE P.O. Box 42525 Olympia, WA 98504-2525 (360) 725-3030				
3a. TITLE OF THE PRO	GRAM		3b. POMS COD ON REVER	E (SEE INSTRUCTIONS		
4. TITLE OF PROJECT	e Memorial Justice Assistance Grant (JAG) Progra					
5. NAME & ADDRESS	OF GRANTEE	6. NAME & ADRESS OF SUBC	GRANTEE			
Washington Departm 1011 Plum Street SE Olympia, WA 98504	PO Box 42525					
7. PROGRAM PERIOD		8. BUDGET PERIOD				
FROM: 10/	01/2016 TO: 09/30/2020	FROM: 10/01/201	6 TO: 09	/30/2020		
9. AMOUNT OF AWAR	D	10. DATE OF AWARD				
\$ 3,277,891		06/26/2018				
11. SECOND YEAR'S B	UDGET	12. SECOND YEAR'S BUDGE	Γ AMOUNT			
13. THIRD YEAR'S BUI	DGET PERIOD	14. THIRD YEAR'S BUDGET A	AMOUNT			
15. SUMMARY DESCR	IPTION OF PROJECT (See instruction on revers	e)				

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following program areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation) and 8) mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.

This State JAG award will be used to support criminal justice initiatives that fall under one or more of the allowable program areas above. Funded programs or

OJP FORM 4000/2 (REV. 4-88)

initiatives may include multijurisdictional drug and gang task forces, crime prevention and domestic violence programs, courts, corrections, treatment, justice information sharing initiatives, or other programs aimed at reducing crime and/or enhancing public/officer safety.

NCA/NCF