



1 [Accept and Expend Grant - Encouraging Innovation: Field-Initiated Programs, Bureau of  
2 Justice Assistance - Amendment to the Annual Salary Ordinance - \$395,231]

3 **Ordinance retroactively authorizing the San Francisco Public Defender's Office (PDR)**  
4 **to accept and expend a grant in the amount of \$395,231 from the Department of**  
5 **Justice, Office of Justice Programs, Bureau of Justice Assistance to create the first**  
6 **local and nationally applicable checklist system to better guide attorneys through key**  
7 **moments in cases, ensuring competent representation and avoiding costly errors; and**  
8 **amending Ordinance No. 160-13 (Annual Salary Ordinance, FY2013-2014) to reflect the**  
9 **addition of one Class 8173 Legal Assistant grant-funded position (0.50 FTE) at the PDR**  
10 **for the period of October 1, 2013, through September 30, 2016.**

11  
12 NOTE: Additions are *single-underline italics Times New Roman*;  
13 deletions are ~~*strike-through italics Times New Roman*~~.  
14 Board amendment additions are double-underlined;  
15 Board amendment deletions are ~~strikethrough-normal~~.

16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. Findings

18 (a) The San Francisco Public Defender's Office (PDR) applied to the Department of  
19 Justice, Office of Justice Programs, Bureau of Justice Assistance for a grant to create the first  
20 local and nationally applicable checklist system to better guide attorneys through key  
21 moments in cases, ensuring competent representation and avoiding costly errors, and PDR  
22 was awarded \$395,231 on September 30, 2013.

23 (b) These grants from the Office of Justice Programs are part of the Justice  
24 Department's continuing efforts to improve indigent defense, which is often underfunded and  
25 understaffed, and to support training, mentoring, technical assistance, leadership

1 development and research to enhance the effectiveness of indigent defense practices. This  
2 grant would allow the Public Defender to launch a training initiative aimed at developing  
3 practitioner checklists to better guide attorneys through key moments in a case that are both  
4 substantive and user-friendly.

5 (c) The public defender would work in planned partnership with the Center on Court  
6 Innovation to research and create a local and national model. The proposed checklist system  
7 would be adaptable by Public Defender offices and bar associations overseeing private court-  
8 appointed attorneys. It would set a series of benchmarks detailing what is minimally required  
9 on an annual basis and provide resources so that each jurisdiction could ensure its attorneys  
10 are able to competently represent their clients. The grant would also monitor and evaluate  
11 use of checklists by attorneys in public defender offices, create a toolkit for implementation,  
12 provide training, create a practitioner guide, and prepare summary report findings.

13 (d) The award period for the grant is from October 1, 2013 – September 30, 2016;  
14

15 Section 2. Authorization to Accept and Expend Grant Funds.

16 (a) The Board of Supervisors hereby authorizes the San Francisco Public  
17 Defender's Office to accept and expend \$395,231 in grant funds from the Department of  
18 Justice, Office of Justice Programs, Bureau of Justice Programs; for the purpose of creating  
19 and implementing "Checklists for Defense: A Training Strategy for Public Defenders."  
20

21 (b) In addition, in accordance with the Public Defender's proposal to maximize use  
22 of available grant funding on direct services by not including indirect costs in the grant budget,  
23 the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget.

24 Section 3. Grant Funded Position; Amendment to FY 2013-2014 Salary Ordinance.  
25

1 The hereinafter designated section of Ordinance No. 160-13 (Annual Salary Ordinance, FY  
2 2013 - 2014) is hereby amended to add one position to the Office of the Public Defender, as  
3 follows:

4 Department: PDR

5 Program: AKI

6 Subfund: 2SPFGNC

7 Index Code: 055210

8 Amendment	# of Positions	Class and Item No.	Compensation Schedule
9 <u>Add</u>	<u>0.5 FTE</u>	<u>8173 Legal Assistant</u>	<u>\$2,527 - \$3,072</u>


11 APPROVED AS TO FORM:

13 By:

  
14 Jana Clark  
Deputy City Attorney

11 APPROVED AS TO CLASSIFICATION  
DEPARTMENT OF HUMAN RESOURCES

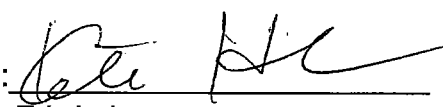
13 By:

 4/4/14  
14 Micki Callahan, Director  
Department of Human Resources

15 Recommended:

16   
17 Jeff Adachi, Public Defender

19 APPROVED:

  
20 for Edwin Lee  
Mayor

22 APPROVED:

  
23 for Ben Rosenfield  
Controller

**File Number:** \_\_\_\_\_  
(Provided by Clerk of Board of Supervisors)

**Grant Information Form**  
(Effective March 2005)

**Purpose:** Accompanies proposed Board of Supervisors ordinances authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. **Grant Title:** BJA Encouraging Innovation Grant

2. **Department:** San Francisco Public Defender's Office

3. **Contact Person:** Simin Shamji O'Brien                      **Telephone:** 415-553-9316

4. **Grant Approval Status (check one):**

Approved by funding agency

Not yet approved

5. **Amount of Grant Funding Approved or Applied for:** \$ 395,231

6a. **Matching Funds Required:** No

b. **Source(s) of matching funds (if applicable):**

7a. **Grant Source Agency:** US Department of Justice, Bureau of Justice Assistance

b. **Grant Pass-Through Agency (if applicable):**

8. **Proposed Grant Project Summary:** The San Francisco Public Defender, in partnership with the Center for Court Innovation, will create the first-ever local and nationally-applicable checklist system for public defenders and indigent defense attorneys. The goal is to efficiently and substantively improve the effectiveness of indigent defense providers and thereby enhance the delivery of justice to low-income clients. The checklist system will be adaptable by Public Defender offices and bar associations overseeing private court-appointed attorneys. It will set a series of benchmarks detailing what is minimally required on an annual basis and provide resources so that each jurisdiction could ensure its attorneys are able to competently represent their clients, while avoiding costly errors.

9. **Grant Project Schedule, as allowed in approval documents, or as proposed:**

**Start-Date:** October 1, 2013

**End-Date:** September 30, 2016

10a. **Amount budgeted for contractual services:** 156,000

b. **Will contractual services be put out to bid?** No

c. **If so, will contract services help to further the goals of the department's MBE/WBE requirements?**

d. **Is this likely to be a one-time or ongoing request for contracting out?** One-time

11a. **Does the budget include indirect costs?**

Yes

No

b1. If yes, how much?  
b2. How was the amount calculated?

c. If no, why are indirect costs not included?

Not allowed by granting agency

To maximize use of grant funds on direct services

Other (please explain):

c2. If no indirect costs are included, what would have been the indirect costs? The indirect costs will include average overhead costs.

12. Any other significant grant requirements or comments:

**\*\*Disability Access Checklist\*\***

13. This Grant is intended for activities at (check all that apply):

Existing Site(s)

Existing Structure(s)

Existing Program(s) or Service(s)

Rehabilitated Site(s)

Rehabilitated Structure(s)

New Program(s) or Service(s)

New Site(s)

New Structure(s)

14. The Departmental ADA Coordinator and/or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

Comments:

Departmental or Mayor's Office of Disability Reviewer:

Angela Auyong  
(Name)

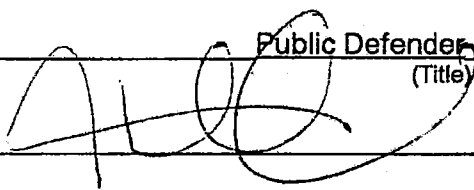
Date Reviewed: December 13, 2013

Department Approval:

Jeff Adachi  
(Name)

Public Defender  
(Title)

(Signature)





The U.S. Department of Justice (DOJ), Office of Justice Programs' (OJP) Bureau of Justice Assistance (BJA) is seeking applications for funding to support strategic and innovative field-initiated programs. This program furthers the Department's mission by contributing to the development of strategic and innovative programs and strategies that will improve the criminal justice system; reduce crime, recidivism, and unnecessary confinement; and promote a safe and fair criminal justice system.

## Encouraging Innovation: Field-Initiated Programs FY 2013 Competitive Grant Announcement

### Eligibility

**Category 1:** Eligible applicants are limited to state and/or local public or private entities, including for-profit (commercial) and nonprofit organizations, faith-based and community organizations, institutions of higher education, federally-recognized Indian tribal governments (as determined by the Secretary of the Interior), and units of local and state government. For-profit organizations must agree to waive any profit or fees for services.

**Category 2:** Eligible applicants are limited to public or private entities, institutions of higher education, including national for-profit (commercial) and nonprofit organizations. For-profit organizations must agree to waive any profit or fees for services.

**This solicitation includes a two-step process:**

1. **Concept Paper:** Applicants must apply through [Grants.gov](http://Grants.gov).
2. **Full Application:** Selected applicants only, as outlined in this solicitation, will be invited via e-mail to provide a more detailed application through OJP's Grants Management System (GMS).

**It is recommended that applicants ensure registration is complete and up to date for both [Grants.gov](http://Grants.gov) and GMS.**

BJA may elect to make awards for applications submitted under this solicitation in future fiscal years, dependent on the merit of the applications and on the availability of appropriations.

### Deadline

#### **For Step 1—Concept Paper Submission: [Grants.gov](http://Grants.gov)**

Applicants must register with [Grants.gov](http://Grants.gov) prior to submitting a concept paper. Concept papers are due by 11:59 p.m. eastern time on April 12, 2013. (See "Deadlines: Registration and Application (Concept Paper and Full Application)," page 4.)

**For Step 2—Full Application Submission for Selected Applicants Only: GMS**

Applicants must register in OJP's Grants Management System (GMS) prior to submitting a full application for this funding opportunity. Select the "Apply Online" button associated with the solicitation title. (See "How To Apply," page 20.) All registrations and applications are due by 8:00 p.m. eastern time 30 days from the date applicants receive e-mail notification to submit full applications. (See "Deadlines: Registration and Application (Concept Paper and Full Application)," page 4.)

**Contact Information**

- **Step 1—Concept Paper:** For technical assistance with submitting a concept paper, contact the Grants.gov Customer Support Hotline at 800-518-4726 or via e-mail to support@grants.gov.

**Note:** The Grants.gov Support Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

- **Step 2—Full Application:** For technical assistance with submitting a full application (invited applicants only), contact the Grants Management System Support Hotline at 888-549-9901, option 3 or via e-mail at GMS.HelpDesk@usdoj.gov.

**Note:** The GMS support hotline hours of operation are Monday–Friday from 6:00 a.m. to midnight eastern time, except federal holidays.

For assistance with any other requirement of this solicitation, contact the BJA Justice Information Center at 1-877-927-5657, via e-mail at JIC@telesishq.com, or via live web chat at www.justiceinformationcenter.us. The BJA Justice Information Center hours of operation are 8:30 a.m. to 5:00 p.m. eastern time, Monday through Friday, and 8:30 a.m. to 8:00 p.m. eastern time on the solicitation close date.

Grants.gov number assigned to announcement: BJA-2013-3554

Release Date: March 14, 2013



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# Encouraging Innovation: Field-Initiated Programs (CFDA #s 16.751 and 16.738)

## Overview

Under this solicitation, BJA seeks to prevent and reduce crime and enhance the criminal justice system through collaboration with the field to identify, define, and respond to emerging or chronic crime problems and systemic issues. BJA is looking for proposed strategies to address these issues, including trying new approaches, addressing gaps in responses, building or translating research knowledge, or building capacity to address the issues. Applications under this program should not duplicate other BJA-funded programs.

BJA's Field-Initiated Programs solicitation provides opportunities to support a small number of local, state, tribal, and national projects that bring fresh perspectives and ideas to enhance practice and prevent crime in the field.

Applications are sought in two areas:

Category 1: Applications that propose to test a strategy at the state, local or tribal level, documenting implementation and developing tools to support national replication.

Category 2: Applications to develop targeted and national or regional strategies that will make an impact in addressing a critical need or gap in the field. Regional projects must show that they are a model that is specific to a regional need or could be implemented effectively regionally and replicated elsewhere.

In both categories, the applicants must propose innovative strategies or strategies that are aligned with the [BJA Strategic Plan](#) and are consistent with the goals of this solicitation.

Applications can address one or more areas of the criminal justice system:

- Crime prevention.
- Law enforcement.
- Prosecution, courts, and indigent defense.
- Corrections and reentry.
- Crime related to substance abuse and/or mental health.
- Efforts to enhance criminal justice system capacity building, such as strategic planning and analysis; research and evaluation; integration of research, evidence, or data in programs; information sharing and technology; and/or sustainability of programs and strategies.

This program is funded under both the Edward Byrne Memorial Competitive Grant Program (Byrne Competitive Program) and the Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C. 3751(a)) set-aside provision for training and technical assistance. The Byrne Competitive Program helps local communities improve the capacity of state and local justice systems and provides for national support efforts including training and technical assistance programs strategically targeted to address local needs. Under the JAG Program, there is a 3 percent set-aside for training and technical assistance programs. Additionally, funds may be used from other existing appropriations to fund applications under this solicitation.

## **Deadlines: Registration and Application (Concept Paper and Full Application)**

### **For Step 1—Concept Paper Submission: Grants.gov**

Applicants must register with [Grants.gov](http://Grants.gov) in order to submit a concept paper. OJP encourages applicants to **register several weeks before** the application submission deadline. The deadline to submit concept papers under this announcement is 11:59 p.m. eastern time on April 12, 2013. See “How To Apply: Grants.gov” on page 10 for details.

### **For Step 2—Full Application Submission for Selected Applicants Only: GMS**

Applicants must register in [GMS](http://GMS) prior to submitting a full application for this funding opportunity. The deadline to register in GMS is 8:00 p.m. eastern time 30 days from the date applicants receive e-mail notification to submit full applications, and the deadline to apply for funding under this announcement is 8:00 p.m. eastern time 30 days from the date applicants receive e-mail notification to submit full applications. See “How to Apply: GMS” on page 20 for details.

### **Timeline**

- April 12, 2013: Deadline to submit concept papers in Grants.gov (30 days from solicitation posting date)
- May 11, 2013: Selected applicants will be notified via e-mail that their concept paper has been accepted by BJA, and will have 30 days from the date the e-mail is sent to submit full applications. Note: This notification date is an approximation and is dependent on the number of applications received.

## **Eligibility**

Refer to the title page for eligibility under this program.

## **Encouraging Innovation: Field-Initiated Programs—Specific Information**

As a national leader in criminal justice policy, BJA's success is based upon its guiding principles, which include:

- Emphasizing local control.
- Building relationships in the field.
- Providing training and technical assistance in support of efforts to prevent crime, drug abuse, and violence at the national, state, and local levels.
- Developing collaborations and partnerships.
- Promoting capacity building through planning.
- Creating accountability for projects.
- Encouraging innovation.
- Communicating the value of justice efforts to decision makers at every level.

Since FY 2009, BJA has issued a solicitation that partners with the field to leverage existing ideas and expertise to address critical gaps in BJA programs and strategies.

BJA has funded a number of successful projects, including:

- The replication of a holistic public defender approach in the Bronx.
- A cost benefit knowledge bank for policymakers.
- Tools to integrate risk and needs research in community corrections planning.
- A Resource Center on Women Involved in the criminal justice system.

In FY 2013, BJA is adding two new aspects to the Field-Initiated Programs solicitation:

1. BJA released its Strategic Plan for Fiscal Years 2013-2016. The plan is based on one overarching guiding principle statement: to reduce crime, recidivism, and unnecessary confinement, and promote a safe and fair criminal justice system. Recognizing the need to be innovative, yet evidence-based and results-driven, BJA will focus on major strategic areas during this 5-year period. Both Category 1 and 2 applicants must propose a strategy that is in line with the goals and strategies outlined in the BJA Strategic Plan. To learn more about the specific goals and strategies that will guide the BJA's efforts in the future, read [BJA's Strategic Plan](#).
2. Recognizing significant interest in the field, but with limited resources to fund these projects, BJA is piloting a concept paper approach to reduce workload required to prepare a submission while also developing the most effective process to identify the proposals that best respond to the intention and purpose of this solicitation. Using a two-part concept paper and full application process, BJA seeks to reduce the time and resource burden to the field by only asking those applicants that are most likely to be considered for funding to prepare a full application for funding.

### **Goals, Objectives, and Deliverables**

The purpose of the Field-Initiated Programs is to develop and implement strategic and/or innovative strategies that build or enhance the capacity of state, tribal, or local criminal justice systems to prevent and respond to emerging and/or chronic crime problems that affect many communities in the United States.

Specifically, BJA is first seeking concept paper proposals from eligible agencies and organizations to develop and implement strategic and/or innovative strategies that respond to at least one of the innovative and/or strategic elements below, which apply to both Category 1 and Category 2 applicants.

**For a concept paper proposal to be considered "innovative," it must:**

- Propose a strategy or response that has not been implemented previously yet is supported by research, data, or evidence and responds to one or more of the priorities of the BJA Strategic Plan; or
- Propose a new modification to an existing strategy or response that has not been implemented previously yet is supported by research, data, or evidence.

**For a concept paper proposal to be considered “strategic,” it must:**

- Propose a strategy or response that responds to one or more of the priorities identified in BJA’s Strategic Plan, is not currently being addressed by BJA, and is supported by research, data, or evidence; or
- Propose a new approach to delivering promising or evidence-based strategies or responses that has not been implemented previously and has the potential to reduce costs and increase efficiencies within an agency or system (including organizational developments and changes that may make the approach more effective or provide greater potential for sustainability of the approach in the long term).

**Category 1 Applicants (Competition ID: BJA-2013-3555):**

Projects funded will test a strategy in the field at the state, local, or tribal level and evaluate or assess the results of the project. As part of the test, the applicant must document implementation and develop tools to support replication, consistent with the overall goals of the solicitation.

BJA recommends that Category 1 applicants include a research partner that can assist with (a) problem assessment, (b) strategy development, (c) data collection and analysis; and (d) monitoring and evaluating performance. The research partner can be an independent consultant, or located in an academic institution, in a state Statistical Analysis Center (SAC), or in a research organization. The research partner should have demonstrated expertise conducting the type of work proposed. Tools and materials should be developed that document the program model and implementation, and provide training materials for criminal justice practitioners and policymakers, such as a training manual and/or curricula, program assessments/evaluations, policy-relevant documents, guidebooks, or toolkits.

**Category 2 Applicants (Competition ID: BJA-2013-3556):**

Projects funded will develop targeted and national or regional strategies that will make an impact in addressing a critical need or gap in the field, consistent with the overall goals of the solicitation. The strategy must document how it will be used to benefit the field by offering tools, products, or research or evaluation results that will facilitate implementation or replication. Regional projects must be designed as a model that is specific to a regional need, or could be implemented effectively regionally and replicated elsewhere. Tools and materials should be developed for use by other criminal justice practitioners and policymakers, including but not limited to, program manuals, program assessments/evaluations, training curricula, policy-relevant documents, guidebooks, and toolkits.

**Amount and Length of Awards**

Both Category 1 and 2 applicants may request up to \$400,000 in funding. Applicants are encouraged to be realistic in their budget proposals, as the amount budgeted will be evaluated against the local or national benefits identified to ensure efficient utilization of resources. Applications should be submitted for a project period of not less than 15 months and not exceeding 36 months. The project start date should be on or after October 1, 2013. Projects that are awarded and subsequently demonstrate strong performance may receive continuation funding in future fiscal years, depending on demonstrated need and availability of funding.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

## **Application Process**

Applications for the FY 2013 Encouraging Innovation: Field-Initiated Programs solicitation will be processed through a **two-step process**:

- Step 1: Submission of a Concept Paper
- Step 2: Submission of a Full Application (invited applicants only)

Instructions on how to submit both a concept paper and a full application are outlined in the following sections. **Note: Step 2 will only be applicable to selected applicants who will receive a specific e-mail from BJA inviting them to submit a full application following systematic review of concept papers submitted during Step 1 of the selection process.**

## **Step 1—Submission of a Concept Paper: What a Concept Paper Must Include**

BJA's decision to request a concept paper recognizes limitations on available funding and the substantial time and effort necessary for agencies to submit full applications. Applicants should expect that failure to submit a concept paper that contains all of the specified requirements, outlined below, will negatively affect the review of the concept paper.

### **Concept Paper Requirements**

1. **Page limit:** The concept paper narrative must not exceed 4 pages and must incorporate all of the information listed below.
2. **Narrative:**
  - a. Agency information: contact name, and all key personnel (if not known, please provide position titles) assigned to the proposed project.
  - b. Specify which category the applicant is applying for (1 or 2).
  - c. Specify which program area(s) or discipline(s) is the primary focus for the application:
    - Crime prevention
    - Law enforcement
    - Courts
    - Corrections
    - Crime related to substance abuse and/or mental health
    - Strategic planning
    - Research/Evaluation
    - Use of Research, Evidence or Data
    - Information sharing and Technology

- d. Briefly describe the nature, scope, and extent of the emerging, chronic, and/or systematic challenge(s) the applicant proposes to address.
  - e. Provide summary data and evidence that support the urgency or importance of the crime issue and/or criminal justice topic to be addressed.
  - f. Provide a short description of the proposed strategy to address the problem or issue, including key activities and target audience and location.
  - g. Describe how the proposed project is innovative or strategic, consistent with the definition of innovative or strategic, as defined on pages 6-7.
3. **Budget:** Applicants must provide cost estimates for major budget categories (i.e., salaries, contracts, etc.). Review OJP's financial guide at: [www.ojp.gov/financialguide/PDFs/OCFO\\_2012FinancialGuide.pdf](http://www.ojp.gov/financialguide/PDFs/OCFO_2012FinancialGuide.pdf).

### **Concept Paper Review and Selection Process**

OJP is committed to ensuring a fair and open process for the review of concept papers. BJA reviews the concept papers to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Concept papers will be reviewed by a working group composed of internal reviewers from BJA and other components within OJP with relevant BJA subject matter expertise. The working group will review concept papers based on the criteria described below and determine which applicants will be invited to submit a full application to the FY 2013 Encouraging Innovation: Field-Initiated Programs solicitation.

*Concept papers will be rated on the following project design features:*

1. Is the proposed project innovative and/or strategic per guidance provided in the solicitation?
2. Does the applicant propose a strategy that is aligned with the BJA Strategic Plan?
3. Does the applicant address a demonstrated gap in the functions and knowledge base of the justice system and/or address a need for which there currently are limited or no services?
4. Will the applicant's proposed project provide knowledge, tools, and materials that will be likely to have a significant impact, value, and/or benefit to criminal justice practitioners and policymakers?
5. Is the applicant building or translating research knowledge or building capacity to address emerging, chronic, and/or systematic criminal justice challenges and/or needs?

*All decisions relating to the application process, and specifically regarding invitations to submit full applications (Step 2), will be made by and within the sole discretion of BJA. All applicants will be notified of the outcome of the concept paper review process by May 11, 2013.*

## How To Apply: Grants.gov (Concept Papers ONLY)

Applicants must submit concept papers through Grants.gov. Applicants must first register with Grants.gov in order to submit an application through Grants.gov, a “one-stop storefront” to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at [www.Grants.gov](http://www.Grants.gov). Applicants that experience technical difficulties during this process should call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, 24 hours a day, 7 days a week, except federal holidays. Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take several weeks** for first-time registrants to receive confirmation and a user password. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications 72 hours prior to the application due date to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

**Note:** BJA encourages all prospective applicants to sign up for Grants.gov email notifications regarding this solicitation. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for email updates will be notified.

All applicants are required to complete the following steps:

1. **Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their applications for a new award or a supplement to an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and differentiating entities receiving federal funds. The identifier is used to for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at [www.dnb.com](http://www.dnb.com). A DUNS number is usually received within 1-2 business days.
2. **Acquire registration with the System for Award Management (SAM).** SAM replaces the **Central Contractor Registration (CCR) database** as the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. OJP requires all applicants (other than individuals) for federal financial assistance to maintain current registrations in the SAM database. Applicants must be registered in SAM to successfully register in Grants.gov. (Previously, organizations that had submitted applications via Grants.gov were registered with CCR, as it was a requirement for Grants.gov registration. SAM registration replaces CCR as a pre-requisite for Grants.gov registration.) Applicants must **update or renew their SAM registration annually** to maintain an active status.

Applicants that were previously registered in the CCR database must, at a minimum:

- Create a SAM account;
- Log in to SAM and migrate permissions to the SAM account (all the entity registrations and records have already been migrated).



Applicants that were not previously registered in the CCR database must register in SAM prior to registering in Grants.gov. Information about SAM registration procedures can be accessed at [www.sam.gov](http://www.sam.gov).

3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. The applicant organization's DUNS number must be used to complete this step. For more information about the registration process, go to [www.grants.gov/applicants/get\\_registered.jsp](http://www.grants.gov/applicants/get_registered.jsp).
4. **Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. Note that an organization can have more than one AOR.
5. **Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) numbers for this solicitation are 16.751, titled "Edward Byrne Memorial Competitive Grant Program," and 16.738, titled "Edward Byrne Memorial Justice Assistance Grant (JAG) Program," and the funding opportunity number is BJA-2013-3554.
6. **Select the correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. If applying to a solicitation with multiple Competition IDs, select the appropriate Competition ID for the intended purpose area of the application.
7. **Complete the Disclosure of Lobbying Activities.** All applicants must complete this information. Applicants that expend any funds for lobbying activities must provide the detailed information requested on the form, *Disclosure of Lobbying Activities*, (SF-LLL). Applicants that do not expend any funds for lobbying activities should enter "N/A" in the required highlighted fields.
8. **Submit an application consistent with this solicitation by following the directions in Grants.gov.** Within 24–48 hours after submitting the electronic application, the applicant should receive an e-mail validation message from Grants.gov. The message will state whether OJP has received and validated the application, or rejected it, with an explanation. **Important:** OJP urges applicants to submit applications **72 hours prior** to the application due date to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

**Note: Grants.gov only permits the use of specific characters in names of attachment files. Valid file names may only include the following characters: A-Z, a-z, 0-9, underscore ( \_ ), hyphen (-), space, and period. Grants.gov will forward the application to OJP's Grants Management System (GMS). GMS does not accept executable file types as application attachments.** These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

**Note: Duplicate Applications**

If an applicant submits multiple versions of an application, *BJA* will review the most recent version submitted.

**Experiencing Unforeseen Grants.gov Technical Issues**

Applicants that experience unforeseen Grants.gov technical issues beyond their control that prevent them from submitting their application by the deadline must e-mail the *BJA* contact identified in the Contact Information on page 2 **within 24 hours after the application deadline** and request approval to submit their application. The e-mail must describe the technical difficulties, and include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any Grants.gov Help Desk or SAM tracking number(s). **Note: BJA does not automatically approve requests.** After the program office reviews the submission, and contacts the Grants.gov or SAM Help Desks to validate the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If the technical issues reported cannot be validated, OJP will reject the application as untimely.

The following conditions are not valid reasons to permit late submissions: (1) failure to register in sufficient time, (2) failure to follow Grants.gov instructions on how to register and apply as posted on its Web site, (3) failure to follow each instruction in the OJP solicitation, and (4) technical issues with the applicant's computer or information technology environment, including firewalls.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP funding web page at [www.ojp.usdoj.gov/funding/solicitations.htm](http://www.ojp.usdoj.gov/funding/solicitations.htm).

**Step 2—Submission of a Full Application (Selected Applicants Only)**

**Step 2 will only be applicable to selected applicants who will receive a specific e-mail from BJA inviting them to submit a full application following systematic review of concept papers submitted during Step 1 of the selection process. Applicants should only respond to Step 2 if they have been notified by BJA that their concept paper has been accepted.**

Following a systematic review of concept papers as outlined in Step 1, BJA will formally invite selected applicants, via e-mail, to submit a full application in response to this solicitation. Invitations to submit a full application will be sent to the official points of contact listed on the applicant's SF-424 form. Applications will be processed and reviewed following the standard OJP competitive review process.

Applicants should anticipate that if they fail to submit an application that contains all of the specified elements, it may negatively affect the review of their application; and should a decision be made to make an award, it may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

Moreover, applicants should anticipate that applications that are determined to be nonresponsive to the scope of the solicitation, or that do not include application elements that BJA has designated to be critical, will neither proceed to peer review nor receive further consideration. Under this solicitation, BJA has designated the following application elements as critical: Program Narrative, and Budget Detail Worksheet and Budget Narrative. Applicants may

combine the Budget Narrative and the Budget Detail Worksheet in one document. However, if an applicant submits only one document, it must contain **both** narrative and detail information.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet and Budget Narrative," "Timelines," "Memoranda of Understanding," "Resumes") for all attachments. Also, OJP recommends that resumes be included in a single file.

#### **1. Information to complete the Application for Federal Assistance (SF-424)**

The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and GMS take information from the applicant's profile to populate the fields on this form. When selecting "type of applicant," if the applicant is a for-profit entity, please select "For-Profit Organization" or "Small Business" (as applicable).

#### **2. Project Abstract**

Applications should include a high-quality "Project Abstract" that summarizes the proposed project in 400 words or less. Project abstracts should be—

- Written for a general public audience.
- Submitted as a separate attachment with <Project Abstract> as part of its file name.
- Identify the category under which the application is being submitted
- Specify which program area or discipline is the primary focus for the application:
  - Crime prevention
  - Law enforcement
  - Courts
  - Corrections
  - Crime related to substance abuse and/or mental health
  - Strategic planning
  - Research/Evaluation
  - Use of Research, Evidence or Data
  - Information sharing and Technology
- Amount of federal funds requested and proposed project period.
- Goals and objectives for the project.
- Deliverables and Tools proposed.
- Name of the research partner for Category 1 applications
- Single-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins.

As a separate attachment, the project abstract will **not** count against the page limit for the program narrative.

All project abstracts should follow the detailed template available at [www.ojp.usdoj.gov/funding/Project\\_Abstract\\_Template.pdf](http://www.ojp.usdoj.gov/funding/Project_Abstract_Template.pdf).

Permission to Share Project Abstract with the Public: It is unlikely that BJA will be able to fund all promising applications submitted under this solicitation, but it may have the opportunity to share information with the public regarding promising but unfunded applications, for example, through a listing on a webpage available to the public. The intent of this public posting would be to allow other possible funders to become aware of such proposals.

In the project abstract template, applicants are asked to indicate whether they give OJP permission to share their project abstract (including contact information) with the public. Granting (or failing to grant) this permission will not affect OJP's funding decisions, and, if the application is not funded, granting permission will not guarantee that abstract information will be shared, nor will it guarantee funding from any other source.

Note: OJP may choose not to list a project that otherwise would have been included in a listing of promising but unfunded applications, should the abstract fail to meet the format and content requirements noted above and outlined in the project abstract template.

### **3. Program Narrative**

The program narrative must respond to the solicitation and the Selection Criteria (1-5 the order given below. Emphasis must be placed on meeting the requirements of the solicitation as described in the Encouraging Innovation: Field-Initiated Programs—Specific Information section.

The program narrative should be double-spaced, using a standard 12-point font (Times New Roman is preferred) with 1-inch margins, and should not exceed 15 pages. Number pages "1 of 15," "2 of 15," etc.

If the program narrative fails to comply with these length-related restrictions, noncompliance may be considered in peer review and in final award decisions.

The following sections should be included as part of the program narrative (see Selection Criteria for further information):

- a. Statement of the Problem
- b. Project Design and Implementation
- c. Capabilities and Competencies
- d. Plan for Collecting the Data Required for this Solicitation's Performance Measures and Project Sustainment  
BJA does not require applicants to submit performance measures data with their application. Performance measures are included as an alert that BJA will require successful applicants to submit specific data to BJA as part of their reporting requirements. For the application, applicants should indicate an understanding of these requirements and discuss how the applicant will gather the required data, should they receive funding.

### **4. Budget Detail Worksheet and Budget Narrative**

#### **a. Budget Detail Worksheet**

A sample Budget Detail Worksheet can be found at [www.ojp.gov/funding/forms/budget\\_detail.pdf](http://www.ojp.gov/funding/forms/budget_detail.pdf). If the budget is submitted in a different format, the budget categories listed in the sample budget worksheet should be included.

For questions pertaining to budget and examples of allowable and unallowable costs, please see the OJP Financial Guide at [www.ojp.usdoj.gov/financialguide/index.htm](http://www.ojp.usdoj.gov/financialguide/index.htm).

**b. Budget Narrative**

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

Applicants should demonstrate in their budget narratives how they will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how they are relevant to the completion of the proposed project. The narrative may include tables for clarification purposes but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should be broken down by year.

**5. Indirect Cost Rate Agreement (if applicable)**

Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. (This requirement does not apply to units of local government.) Attach a copy of the rate approval to the application. Applicants that do not have an approved rate may request one through their cognizant federal agency, which will review all documentation and approve a rate for the applicant organization, or, if the applicant's accounting system permits, costs may be allocated in the direct cost categories. If DOJ is the cognizant federal agency, obtain information needed to submit an indirect cost rate proposal at [www.ojp.usdoj.gov/funding/pdfs/indirect\\_costs.pdf](http://www.ojp.usdoj.gov/funding/pdfs/indirect_costs.pdf).

**6. Tribal Authorizing Resolution (if applicable)**

Tribes, tribal organizations, or third parties proposing to provide direct services or assistance to residents on tribal lands should include in their applications a resolution, a letter, affidavit, or other documentation, as appropriate, that certifies that the applicant has the legal authority from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for a grant on behalf of a tribe or multiple specific tribes, then the application should include appropriate legal documentation, as described above, from all tribes that would receive services/assistance under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

Applicants that are unable to submit with the application a fully-executed (i.e., signed) copy of appropriate legal documentation, as described above, consistent with the applicable tribe's governance structure, should, at minimum, submit an unsigned, draft version of such legal documentation as part of its application (except in cases where, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, BJA will make use of and access to funds contingent on receipt of the fully-executed legal documentation.

**7. Additional Attachments**

**a. Project Time and Task Plan, Memoranda/Letters of Support, Job Descriptions, and Resumes**

Attach a Project Time and Task Plan with each project goal, related objective, activity, expected completion date, and responsible person or organization; Memoranda of Understanding or Letters of Support, if applicable; Job Descriptions that outline the roles, responsibilities, and qualifications for all key positions; and Resumes for staff identified for these positions, if known. Category 1 applicants, please include the resume of your proposed research partner, which highlights their expertise for conducting the type of work proposed.

**b. Applicant disclosure of pending applications**

Applicants are to disclose whether they have pending applications for Federally funded assistance that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation. The disclosure should include both direct applications for federal funding (e.g., applications to federal agencies) and indirect applications for such funding (e.g., applications to State agencies that will be sub-awarding Federal funds).

OJP seeks this information to help avoid any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Applicants that have pending applications as described above are to provide the following information about pending applications submitted within the last 12 months:

- The federal or state funding agency
- The solicitation name/project name
- The point of contact information at the applicable funding agency

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/E-mail for Point of Contact at Funding Agency
DOJ/COPS	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
HHS/ Substance Abuse & Mental Health Services Administration	Drug Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Applicants should include the table as separate attachment, with the file name "Disclosure of Pending Applications," to their application. Applicants that do not have pending applications as described above are to include a statement to this effect in the separate attachment page. (e.g. "[Applicant Name] does not have pending applications within the last 12 months for Federally funded assistance that include requests for funding or support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation.")

## 8. Other Standard Forms

Additional forms that OJP may require in connection with an award are available on OJP's funding page at [www.ojp.usdoj.gov/funding/forms.htm](http://www.ojp.usdoj.gov/funding/forms.htm). For successful applicants, receipt of funds may be contingent upon submission of all necessary forms. Note in particular the following forms:

- a. Standard Assurances\*  
Applicants must read, certify, and submit this form in GMS prior to the receipt of any award funds.
- b. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements  
Applicants must read, certify, and submit in GMS prior to the receipt of any award funds.
- c. Accounting System and Financial Capability Questionnaire  
Any applicant (other than an individual) that is a non-governmental entity and that has not received any award from OJP within the past 3 years, must download, complete, and submit this form.

\*These OJP Standard Assurances and Certifications are forms which applicants accept in GMS. They are not additional forms to be uploaded at the time of application submission.

## Full Application Selection Criteria

### 1. Statement of the Problem (15 percent of 100)

#### a. Category 1 applications supporting state, local, or tribal projects:

Describe how the project addresses:

- (1) A critical emerging or chronic crime problem, or systemic issues faced by one or more components of the criminal justice system for which there currently are no resources, or resources are limited or insufficient. Include any relevant data, background, and any other information to show the significance and importance of the issue, using data that is pertinent to understanding the identified problem.
- (2) The need for testing of the proposed strategy in the field and gaps in capacity to address the issue.

Ensure that any reviewer of the proposal, regardless of background, understands the problem and the need for requesting federal funds.

#### b. Category 2 applications supporting national or regional projects:

Describe how the project addresses a demonstrated gap in areas within the justice system or in the knowledge base of justice system practitioners or state and local policymakers for which there currently are no resources, or resources are limited or insufficient. Include any relevant data, background, and any other information to show the significance and importance of the issue, using data that is pertinent to understanding the identified problem. For regional projects, show how the issue is specific to a regional need, or the model could be implemented effectively regionally and replicated elsewhere.

Ensure that any reviewer of the proposal, regardless of background, understands the problem and the need for requesting federal funds.

## **2. Project Design and Implementation (35 percent of 100)**

### **a. Category 1 applications supporting state, local, or tribal projects:**

- Describe the program model or strategy to be implemented.
- Describe the process for the testing of a strategy and how the applicant will document implementation and develop tools to support replication.
- Describe how the innovative strategies or strategies that are aligned with the BJA Strategic Plan are consistent with the goals of this solicitation
- Describe your specific strategy in detail, including:
  - Key program elements and implementation;
  - How the proposed innovative project is based upon and/or may contribute to evidenced-based strategies or promising practices;
  - Describe the role of the research partner in the project;
  - How project outcomes could serve as a model that could be replicated nationwide; and
  - How the project will provide knowledge, tools, and materials that will be of significant value and benefit to criminal justice practitioners and policymakers.

### **b. Category 2 applications supporting national or regional projects:**

- Describe how the innovative strategy addresses the problems, gaps, or limited resources identified in the Statement of the Problem.
- Describe how the innovative strategies or strategies that are aligned with the BJA Strategic Plan are consistent with the goals of this solicitation
- Describe your specific strategy in detail, including:
  - Key program elements and implementation;
  - How the proposed innovative project is based upon and/or may contribute to evidenced-based strategies or promising practices;
  - How the value or lessons learned from the project upon completion will be communicated and disseminated;
  - How project outcomes could serve as a model that could be replicated nationwide; and
  - How the project will develop practical tools and materials for the field that will assist state and local practitioners in adopting promising and strategic solutions.

For regional projects, how the projects will use a model that is could be implemented effectively regionally and replicated elsewhere.

## **3. Capabilities and Competencies (25 percent of 100)**

Category 1 and Category 2 applicants: Fully describe the applicant(s) capabilities to implement the project and the competencies of the staff assigned to the project and the organization overall. Describe the management structure and proposed staffing to implement the project and describe the roles and responsibilities of any co-applicants or



partners, if applicable. Demonstrate, including giving specific examples, of your organization's expertise and experience in planning, developing, implementing, and managing criminal justice-related programs at the national, state, or local level, with a strong emphasis on the discipline and topics identified in this solicitation.

**4. Plan for Collecting the Data Required for this Solicitation's Performance Measures and Project Sustainment (10 percent of 100)**

Category 1 and Category 2 applicants: Describe the methodology that will be used to collect and report performance data, including the criteria to be used, and how the information will be analyzed to assess program performance and will be communicated to inform BJA of the program's performance. Demonstrate how the data will be used to enhance program implementation and how it could guide replication. Discuss how the project will be sustained after the federal funding ends.

**5. Budget (15 percent of 100)**

Category 1 and Category 2 applicants: Provide a proposed budget that is reasonable, complete, allowable, and cost effective in relation to the proposed activities. The budget must support the strategies and approaches outlined in the project design, and include a narrative to describe the expenditures under each cost area and how it will contribute to the overall program goals. Budget narratives should demonstrate how applicants will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.<sup>1</sup>

## Full Application Review Process

OJP is committed to ensuring a fair and open process for awarding grants. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. BJA may use either internal peer reviewers, external peer reviewers, or a combination, to review the applications. An external peer reviewer is an expert in the subject matter of a given solicitation who is NOT a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. A peer review panel will evaluate, score, and rate applications that meet basic minimum requirements. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with BJA, reviews applications for potential discretionary awards to evaluate the fiscal integrity and financial capability of applicants, examines proposed costs to determine if the Budget Detail Worksheet and Budget Narrative accurately explain project costs, and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

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<sup>1</sup> Generally speaking, a reasonable cost is a cost that if, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.

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

## How to Apply: GMS (Selected Applicants Only)

Applicants invited to submit full applications must submit applications through the Grants Management System (GMS), which provides cradle to grave support for the application, award, and management of awards at OJP. Applicants **must register in GMS for each specific funding opportunity**. Although the registration and submission deadlines are the same, OJP urges applicants to **register immediately**, especially if this is their first time using the system. Complete instructions on how to register and submit an application in GMS can be found at [www.ojp.usdoj.gov/gmscbt/](http://www.ojp.usdoj.gov/gmscbt/). Applicants that experience technical difficulties during this process should e-mail [GMS.HelpDesk@usdoj.gov](mailto:GMS.HelpDesk@usdoj.gov) or call 888-549-9901 (option 3), Monday – Friday from 6:00 a.m. to midnight eastern time, except federal holidays. OJP recommends that applicants **register immediately** to prevent delays in submitting an application package by the deadline.

All applicants should complete the following steps:

1. **Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their application for a new award or a supplement to an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and differentiating entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at [www.dnb.com](http://www.dnb.com). A DUNS number is usually received within 1-2 business days.
2. **Acquire registration with the System for Award Management (SAM).** SAM replaces the **Central Contractor Registration (CCR) database** as the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the SAM database. Applicants must **update or renew their SAM registration annually** to maintain an active status.

Applicants that were previously registered in the CCR database must, at a minimum:

- Create a SAM account;
- Log in to SAM and migrate permissions to the SAM account (all the entity registrations and records have already been migrated).

Applicants that were not previously registered in the CCR database must register in SAM prior to registering in Grants.gov. Information about SAM registration procedures can be accessed at [www.sam.gov](http://www.sam.gov).

3. **Acquire a GMS username and password.** New users must create a GMS profile by selecting the "First Time User" link under the sign-in box of the GMS home page. For more information on how to register in GMS, go to [www.ojp.usdoj.gov/gmscbt/](http://www.ojp.usdoj.gov/gmscbt/).
4. **Verify the SAM registration in GMS, formerly CCR.** OJP requests that all applicants verify their SAM registration in GMS. Once logged into GMS, click the "CCR Claim" link on the left side of the default screen. Click the submit button to verify the SAM (formerly CCR) registration.
5. **Search for the funding opportunity on GMS.** After logging into GMS or completing the GMS profile for username and password, go to the "Funding Opportunities" link on the left side of the page. Select BJA and Encouraging Innovation: Field-Initiated Programs.
6. **Select the correct solicitation title.** Some OJP solicitations posted in GMS contain multiple purpose areas, denoted by the solicitation categories identified in the solicitation title. If applying to a solicitation with multiple solicitation categories, select the appropriate solicitation title for the intended purpose area of the application.
7. **Register by selecting the "Apply Online" button associated with the solicitation title.** The search results from step 5 will display the solicitation title along with the registration and application deadlines for this funding opportunity. Select the "Apply Online" button in the "Action" column to register for this solicitation and create an application in the system.
8. **Complete the Disclosure of Lobbying Activities.** All applicants must complete this information and submit the form in GMS. Applicants that expend any funds for lobbying activities must provide the detailed information requested on the form, *Disclosure of Lobbying Activities*, (SF-LLL). Applicants that do not expend any funds for lobbying activities should enter "N/A" in the required highlighted fields. Access the form at [www.ojp.gov/funding/forms/disclosure.pdf](http://www.ojp.gov/funding/forms/disclosure.pdf).
9. **Follow the directions in GMS to submit an application consistent with this solicitation.** Once submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, applicants must wait for GMS approval before they can submit an application. OJP urges applicants to submit the application at **least 72 hours prior** to the due date of the application.

**Note: GMS does not accept executable file types as application attachments.** These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

**Note: Duplicate Applications**

If an applicant submits multiple versions of an application, *BJA* will review the most recent version submitted.

**Experiencing Unforeseen GMS Technical Issues**

Applicants that experience unforeseen GMS technical issues beyond their control that prevent them from submitting their application by the deadline, must e-mail the BJA contact identified in the Contact Information section on page 2 **within 24 hours after the application deadline** and request approval to submit their application. The e-mail must describe the technical difficulties and include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any GMS Help Desk or SAM tracking number(s). **Note: BJA**

**does not automatically approve requests.** After the program office reviews the submission, and contacts the GMS Help Desk to validate the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If the technical issues reported cannot be validated, the application will be rejected as untimely.

The following conditions are not valid reasons to permit late submissions: (1) failure to register in sufficient time, (2) failure to follow GMS instructions on how to register and apply as posted on its Web site, (3) failure to follow each instruction in the OJP solicitation, and (4) technical issues with the applicant's computer or information technology environment, including firewalls.

Notifications regarding known technical problems with GMS, if any, are posted at the top of the OJP funding web page at [www.ojp.usdoj.gov/funding/solicitations.htm](http://www.ojp.usdoj.gov/funding/solicitations.htm).

## **Other Important Information**

### **Evidence-Based Programs or Practices**

OJP places a strong emphasis on the use of data and evidence in policy making and programming in criminal justice. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates;
- Integrating evidence into program, practice, and policy decisions within OJP and the field; and
- Improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. OJP's [CrimeSolutions.gov](http://CrimeSolutions.gov) web site is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

### **Budget Information**

#### **Limitation on Use of Award Funds for Employee Compensation; Waiver**

With respect to any award of more than \$250,000 made under this solicitation, recipients may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the award recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the Federal Government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. The 2012 salary table for SES employees is available at [www.opm.gov/oca/12tables/indexSES.asp](http://www.opm.gov/oca/12tables/indexSES.asp). Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The Assistant Attorney General (AAG) for OJP may exercise discretion to waive, on an individual basis, the limitation on compensation rates allowable under an award. An applicant requesting a waiver should include a detailed justification in the budget narrative of the application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit the budget.

The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service the individual will provide, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

### **Minimization of Conference Costs**

OJP encourages applicants to review the OJP guidance on conference approval, planning, and reporting that is available on the OJP Web site at [www.ojp.gov/funding/confcost.htm](http://www.ojp.gov/funding/confcost.htm). This guidance sets out the current OJP policy, which requires all funding recipients that propose to hold or sponsor conferences (including meetings, trainings, and other similar events) to minimize costs, requires OJP review and prior written approval of most conference costs for cooperative agreement recipients (and certain costs for grant recipients), and generally prohibits the use of OJP funding to provide food and beverages at conferences. The guidance also sets upper limits on many conference costs, including facility space, audio/visual services, logistical planning services, programmatic planning services, and food and beverages (in the rare cases where food and beverage costs are permitted at all).

Prior review and approval of conference costs can take time (see the guidance for specific deadlines), and applicants should take this into account when submitting proposals. Applicants also should understand that conference cost limits may change and that they should check the guidance for updates before incurring such costs.

Note on food and beverages: OJP may make exceptions to the general prohibition on using OJP funding for food and beverages, but will do so only in rare cases where food and beverages are not otherwise available (e.g., in extremely remote areas); the size of the event and capacity of nearby food and beverage vendors would make it impractical to not provide food and beverages; or a special presentation at a conference requires a plenary address where conference participants have no other time to obtain food and beverages. Any such exception requires OJP's prior written approval. The restriction on food and beverages does not apply to water provided at no cost, but does apply to any and all other refreshments, regardless of the size or nature of the meeting. Additionally, this restriction does not affect direct payment of per diem amounts to individuals in a travel status under your organization's travel policy.

### **Costs Associated with Language Assistance (if applicable)**

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the "Civil Rights Compliance" section of the OJP "Other Requirements for OJP Applications" Web page at [www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm).

**Match Requirement**

This solicitation does not require a match. However, if a successful application proposes a voluntary match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.

**Performance Measures: Full Applications ONLY**

To assist the Department with fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, applicants that receive funding under this solicitation must provide data that measure the results of their work done under this solicitation. OJP will require any award recipient, post award, to provide the data requested in the "Data Grantee Provides" column so that OJP can calculate values for the "Performance Measures" column. Performance measures for this solicitation are as follows:

Objective	Performance Measure(s)	Data Grantee Provides
<p>Support the development, implementation, and replication of innovative strategies that respond to emerging or chronic crime problems and systemic issues for which there currently are no resources or resources are limited or insufficient.</p>	<p>Percentage of project plan outcomes met</p> <p>Percentage of project tasks successfully completed that address capacity building</p> <p>Number of new policies, procedures, strategies, or interventions evaluated</p> <p>Percentage of policies, procedures, strategies or interventions that are supported by evidence to be replicable or a best practice</p>	<p>Number of project tasks*</p> <p>Number of project tasks* that were completed during the reporting period</p> <p>Number of project tasks that were completed during the reporting period that build capacity** in your agency</p> <p>Number of total project tasks (complete or incomplete) that build capacity in your agency</p> <p>Number of new policies, procedures, strategies, or interventions evaluated</p> <p>Of those evaluated, the number of policies, procedures, strategies or interventions that are supported by evidence to be replicable or a best practice</p>
<p><i>(Applicants who are awarded funding to implement training and/or technical assistance (TTA) activities will also have to report on measures related to TTA activities.)</i></p> <p>Increase the knowledge and capacity of practitioners in the criminal justice field through training and technical assistance.</p>	<p>Number of participants who attend the training</p> <p>Percentage of participants trained whose post-test indicated an improved score over their pre-test.</p> <p>Percentage of participants trained who reported an increase in knowledge, skill, or abilities</p> <p>Percentage of participants who rated the training as satisfactory or better</p>	<p>For current reporting period, the number of participants (Trainees/TA recipients) who:</p> <ul style="list-style-type: none"> <li>• Attended the training</li> <li>• Completed the training</li> <li>• Completed an evaluation at the conclusion of the training</li> <li>• Completed an evaluation and rated it as satisfactory or better</li> <li>• Completed a pre- and post- test</li> <li>• Completed the post-test with an improved score over their pre-test</li> <li>• Completed an evaluation or survey and reported an improved ability to perform their work responsibilities</li> </ul>

	Percentage of technical assistance (TA) request completed	Number of technical assistance (TA) request received
	Average number of hours to complete TA requests	Sum of hours to complete TA requests
		Number of TA requests successfully completed
	Percent of deliverables that meet expectations as determined by BJA	Number of tools and materials developed for the field.
		Number of tools and materials developed for the field that meet expectations as determined by BJA

\* Task: grant activity defined in application project plan

\*\*Capacity building: enhancing knowledge, increasing the number of services provided, or enhancing the ability of agencies to better respond to the needs of constituents

Because of the broad nature of this solicitation, BJA will also seek to develop program-specific measures in the beginning stages of the funded program. See the BJA [Field-Initiated Programs web page](#).

OJP does not require applicants to submit performance measures data with their applications. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Refer to the section "What a Full Application Should Include" on page 12 for additional information.

**Note on Project Evaluations**

Applicants that propose to use funds awarded through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements likely do not constitute "research." Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, "a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge" 28 C.F.R. § 46.102(d). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the "Research and the Protection of Human Subjects" section of the OJP "Other Requirements for OJP Applications" web page ([www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm)). Applicants whose proposals may involve a research or statistical component also should review the "Confidentiality" section on that Web page.

## Notice of Post-Award FFATA Reporting Requirement

Applicants should anticipate that OJP will require all recipients (other than individuals) of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at [www.fsrs.gov](http://www.fsrs.gov).

Note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

## Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. OJP encourages applicants to review the information pertaining to these additional requirements prior to submitting an application. Additional information for each requirement can be found at [www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm).

- Civil Rights Compliance
- Civil Rights Compliance Specific to State Administering Agencies
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and the Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with [Office of Justice Programs Financial Guide](#)



- Suspension or Termination of Funding
- Nonprofit Organizations
- For-profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in Excess of \$5,000,000 – Federal Taxes Certification Requirement
- Policy and Guidance for Conference Approval, Planning, and Reporting
- OJP Training Guiding Principles for Grantees and Subgrantees

### **Provide Feedback to OJP on This Solicitation**

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, the application submission process, and/or the application review/peer review process. Feedback may be provided to [OJPSolicitationFeedback@usdoj.gov](mailto:OJPSolicitationFeedback@usdoj.gov).

**IMPORTANT:** This email is for feedback and suggestions only. Replies are **not** sent from this mailbox. If you have specific questions on any program or technical aspect of the solicitation, **you must** directly contact the appropriate number or email listed on the front of this solicitation document. These contacts are provided to help ensure that you can directly reach an individual who can address your specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your resume to [ojppeerreview@lmbps.com](mailto:ojppeerreview@lmbps.com). The OJP Solicitation Feedback email account cannot forward your resume. **Note:** Neither you nor anyone else from your organization can be a peer reviewer in a competition in which you or your organization have submitted an application.

## Application Checklist: Full Applications

### FY 2013 Encouraging Innovation: Field-Initiated Programs

This application checklist has been created to assist in developing an application.

#### Eligibility Requirement:

The federal amount requested is within the allowable limit(s) of \$400,000.

#### What an Application Should Include:

- Application for Federal Assistance (SF-424) (see page 13)
- Project Abstract (see page 13)
- Program Narrative\* (see page 14)
- Budget Detail Worksheet\* (see page 14)
- Budget Narrative\* (see page 15)
- Disclosure of Lobbying Activities (SF-LLL) (see page 21)
- Indirect Cost Rate Agreement (if applicable) (see page 15)
- Tribal Authorizing Resolution (if applicable) (see page 15)
- Additional Attachments (see page 16)
  - Project Time and Task Plan
  - Memoranda/Letters of Support
  - Job Descriptions
  - Resumes
- Disclosure of Pending Applications (see page 16)
- Other Standard Forms as applicable (see page 17) including:
  - Accounting System and Financial Capability Questionnaire (if applicable)

\*These elements are the basic minimum requirements for applications. Applications that do not include these elements shall neither proceed to peer review nor receive funding from BJA.

**Checklists for Defense: A Training Strategy for Public Defenders**  
San Francisco Public Defender's Office  
FY 13 BJA Solicitation: Encouraging Innovation: Field-Initiated Programs  
BJA-2013-3555

**Project Narrative**

*Statement of the Problem*

Over the last two decades, national spending on legal assistance has decreased by one third,<sup>1</sup> while public defender caseloads have increased by 20%. About three-fourths (73%) of county-based public defender offices exceed the maximum recommended caseload per attorney.<sup>2</sup> For many public defender offices, this reality has translated into an unwelcomed mandate to do more with less. While there is enthusiastic support for providing resources to the state to carry out its responsibilities in the criminal justice system, there is very little corresponding support for increasing the resources available to public defenders. Studies document the inadequacy of the resources available to those who are charged with the responsibility of defending the accused. A Minnesota study found that only a little more than half of public defenders agreed that they were well prepared for their cases in the past year.<sup>3</sup>

For public defender offices, supervisors are strained to provide adequate training and oversight, particularly for new lawyers. A Nevada report highlights new attorneys "being thrown into practice with no training or support... having to figure it out for [themselves]."<sup>4</sup> The Comprehensive Review of Indigent Defense in Virginia reached similar conclusions: "inadequate resources and an absence of an oversight structure... form the basis of an indigent

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<sup>1</sup> Rhode, Deborah. (2012) "Equal Justice Under Law: Connecting Principle to Practice." *Journal of Law & Policy*.

<sup>2</sup> Farole & Langton, U.S. Department of Justice, Bureau of Justice Statistics, *Census of Public Defender Offices: County-based and Local Public Defender Offices*, 2007, NCJ 231175 (September 2010).

<sup>3</sup> Junod, Deborah Parker and Starr, KJ. (2010) "Evaluation Report: Public Defender System." Office of the Minnesota Legislative Audit Commission. Available at <http://www.auditor.leg.state.mn.us/ped/pedrep/pubdef.pdf>.

<sup>4</sup> National Legal Aid and Defender Association (2003) "Evaluation of the Public Defender Office: Clark County." Clark County, Nevada Final Report. Available at [http://www.nlada.net/sites/default/files/nv\\_evalofpdofficeclarkcountyjseri03-2003\\_report.pdf](http://www.nlada.net/sites/default/files/nv_evalofpdofficeclarkcountyjseri03-2003_report.pdf)

defense system that fails to provide lawyers with the tools, time and incentive to provide adequate representation to indigent defendants.”<sup>5</sup>

The damaging effects of this “assembly-line justice” translate into significant miscarriages of justice. As summarized in a paper published by the National Association of Criminal Defense Lawyers, lacking resources lead to “guilty pleas by the innocent, inappropriate sentences, and wrongful incarceration, all at taxpayer expense.”<sup>6</sup> In particular, a study conducted by the National Center for State Courts found that nearly half of state Habeas Corpus claims involved allegations of ineffective assistance of counsel, including failure to object to admissibility of evidence and failure to raise an affirmative defense.<sup>7</sup> Beyond individual cases, inadequate representation has a profound impact on the efficacy of the criminal justice system as a whole: at the most fundamental level, “the lack of competent, vigorous legal representation for indigent defendants calls into question the legitimacy of criminal convictions.”<sup>8</sup>

Divining a more nuanced approach to the complex systemic challenges of this nation’s public defender practice is daunting, but providing additional training resources for defense counsel is within reach. The San Francisco Public Defender’s office has recently begun to launch an initiative to develop practitioner checklists to better guide its attorneys through key moments in a case that are both substantive and user-friendly. The initiative is founded in

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<sup>5</sup> Spangenberg, Robert L. et al. (2004) “A Comprehensive Review of Indigent Defense in Virginia.” American Bar Association, Standing Committee on Legal Aid and Indigent Defendants. Available at [http://www.americanbar.org/content/dam/aba/migrated/legalservices/downloads/sclaid/indigentdefense/va\\_report2004.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/migrated/legalservices/downloads/sclaid/indigentdefense/va_report2004.authcheckdam.pdf).

<sup>6</sup> Baruchowitz, Robert C. et al (2009) “Minor Crimes, Massive Waste: The Terrible Toll of America’s Broken Misdemeanor Courts.” National Association of Criminal Defense Lawyers. Available at <http://www.nacdl.org/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=20808>.

<sup>7</sup> Victor E. Flango, *Habeas Corpus in State and Federal Courts* (1994).

<sup>8</sup> “Improving Criminal Justice Systems Through Expanded Strategies and Innovative Collaborations.” at ix (Feb. 1999), [www.sado.org/fees/icjs.pdf](http://www.sado.org/fees/icjs.pdf)

literature – Atul Gawande’s *The Checklist Manifesto* – that documents the value of checklists for complex and overworked systems, such as the legal system:

Know-how and sophistication have increased remarkably across almost all our realms of endeavor, and as a result so has our struggle to deliver on them ... You see it in the 36 percent increase between 2004 and 2006 in lawsuits against attorneys for legal mistakes—the most common being simply administrative errors, like missed calendar dates and clerical screw ups, as well as errors in applying the law ... You see mistakes in any endeavor requiring mastery of complexity and large amounts of knowledge ... Yet our failures remain frequent. They persist despite remarkable individual ability.

Nonetheless, that know-how is often unmanageable.... And the reason is increasingly evident: the volume and complexity of what we know has exceeded our individual ability to deliver its benefits correctly, safely, or reliably ... That means we need a different strategy for overcoming failure, one that builds on experience and takes advantage of the knowledge people have but somehow also makes up for our inevitable human inadequacies. And there is such a strategy – though it will seem almost ridiculous in its simplicity, maybe even crazy to those of us who have spent years carefully developing even more advanced skills and technologies. It is a checklist.

The San Francisco Public Defender, for example, has a successful attorney training program, as well as a cooperative training partnership with private attorneys who provide indigent defense in San Francisco. Every year, the office hosts over fifty high quality training sessions. The training program is staffed by a director who, while maintaining a modest caseload, develops and implements the curriculum. The complete program does much more than convey basic legal knowledge. It is a comprehensive series of requirements for effective practice including basic training for new attorneys, continuing education for experienced attorneys, weekly case conferences, individual coaching and feedback, weekly ‘brainstorming’ sessions, ‘brown bag’ conversations, mentorship opportunities, trial practice groups, monthly and annual new laws seminars, immigration seminars and bi annual forensic and trial colleges. In an effort to enhance training curricula, the office recently assembled an ad hoc group of attorneys to identify and

create checklists. In order to fully reap the benefits of such an innovative endeavor, however, substantial time and resources are required.

### *Project Design and Implementation*

The San Francisco Public Defender, in partnership with the Center for Court Innovation, proposes to create the first-ever local and nationally-applicable checklist system for public defenders and indigent defense attorneys. The checklist system will build existing training curricula, including topics such as *Trial Objections*, *Jury Selection*, *Investigating an Arson Case*, *Preparing a DNA case*, *Preparing a DUI case*, *Immigration Consequences of Taking a Plea*, *Preparing Your Client to Testify*, and *The First 30 Days of a Homicide Case*. The goal of the checklists will be to efficiently and substantively improve the effectiveness of indigent defense providers and thereby enhance the delivery of justice to low-income clients.

The proposed project is an innovative approach consistent with the Bureau of Justice Assistance's strategic plan of using building capacity of justice system partners to promote a safe and fair criminal justice system and help prevent unnecessary confinement. The use of checklists on a large scale has not been implemented within the indigent defense system. This efficient and user-friendly training approach has the potential to revolutionize how public defenders – and potentially other agencies throughout the justice system – facilitate staff development and retention and agency-wide capacity building. Furthermore, the innovative implementation and evaluation design of this project will allow the idea to be pilot-tested in two distinct settings in a relatively short period of time, providing added evidence to the field for how the approach is best utilized.

The proposed project will unfold in three phases, building upon an extensive planning process that is already underway, currently funded in-kind by the San Francisco Public Defender's Office. The Project Team will be composed of an attorney and legal assistant within the Office of the San Francisco Public Defender, and researchers at the Center for Court Innovation, in consultation with BJA wherever appropriate. The proposed start date of the three-year grant is October 1, 2013. Project staff will also begin to identify existing resources – locally and nationally – that can be drawn upon for substantive and procedural content.

**Phase 1: Research and Development (October 1, 2013- September 30, 2014):** During Phase 1, project staff from the San Francisco Public Defender's office will convene a checklist committee spearheaded by a qualified lead attorney as the Project Coordinator and a legal assistant. The committee will include experienced deputy public defenders within the office who will work under the regular supervision of a managing attorney. The checklist committee will initiate the planning process by selecting six to eight topic areas for which checklists and training tools will be developed during the grant period. The committee will analyze internal trial data and trial outcomes to identify relevant subject areas. Additionally, the committee will observe preliminary hearings, motion to suppress hearings, evidentiary hearings, and trials in order to obtain a more precise idea of the type and quality of checklists that can be useful and practical during such proceedings. Lastly, the committee will convene a focus group which would include practicing attorneys both in and out of the office, federal public defenders, attorneys from the Habeas Corpus Resource Center, appellate lawyers with whom our office regularly consults, and attorneys with specific expertise, such as immigration law, to identify areas in which to concentrate our efforts. The committee will conduct legal research, develop checklists

and corresponding training materials, and develop and finalize an implementation and evaluation plan in collaboration with the Center for Court Innovation.

The checklists themselves will be designed to combine precision and comprehensiveness, with ease and efficiency of use. Therefore, although each checklist may contain from 20-40 discrete items, the items will take the form of extremely straightforward checkboxes (i.e., each recommended action either was taken or was not taken), which can be quickly digested, reviewed, and re-reviewed in each case where they apply. Two illustrative examples follow.

#### **EXAMPLE 1: DNA Cases**

- Send Discovery Letter to DA
  - Cold hit
  - Standard DNA Case
- Create flow chart or spread sheet of the evidence in the case; include the following categories:
  - Date/time collection
    - Who collected
  - Date packaged
    - By whom
  - Where was evidence stored during transport from scene
  - Was evidence stored in CSI prior to booking
  - When/by whom was evidence booked
  - When/by whom was evidence retrieved from property room
    - Where was the evidence taken
  - If medical examiner collected evidence



- Who did collection
- When

...

## **EXAMPLE 2: Driving Under the Influence (DUI) cases**

### Review File

- Complaint, looking for enhancements (e.g. excessive speed, under 21 years of age, refusal of chemical test) and alleged prior DUIs.
- RAP sheet, looking for uncharged prior DUIs.
- Police report and officer/witness statements, paying particular attention to:
  - Driving characteristics
  - Statements to officers
  - Performance on FSTs
  - 'Objective signs of intoxication' – e.g. unsteady gait, odor of alcohol, and bloodshot eyes
  - Chemical test results – e.g. PAS, Intox, or blood

### Gather Information

- Informal discovery request asking for:

.....

Training materials will accompany the checklists, including practice tips, references to penal, health and safety, vehicle, et al. code sections, substantive federal and state law with full citations, case summaries, references to the evidence code, as needed, and other applicable legal sources.

**Phase 2: Pilot Testing (October 1, 2014- September 30, 2015):** The focus of Phase 2 will be piloting six to eight checklists and corresponding training materials within two public defender offices: San Francisco and Alameda Counties. Piloting the project in two jurisdictions will allow researchers to test the applicability of the project beyond their point of origin and produce rigorous, generalizable, and credible information for the national field. As designed, the checklists themselves will reflect the practices and preferences of the San Francisco Public Defender's Office. By also testing the checklists in a second agency, the project will be better equipped to evaluate how the practices transfer to different jurisdictions and organizational structures and cultures. This model will help answer: do the checklists constitute an evidence-based strategy for broader statewide and national dissemination?

Alameda County was selected as the second site for multiple reasons – the foremost being that senior officials from the public defender's office have agreed to participate in the pilot. Second, it is similar in size to San Francisco County, with 100 attorneys in each office. Also, Alameda is geographically proximate to San Francisco, helping to ease the implementation process, including facilitating the training itself, follow-up training and assistance, and overseeing the evaluation process. Lastly, there will be significant value for research purposes in testing the initiative in a public defender's office that does not currently have a checklist training initiative. Alameda will not be involved in checklist development and will not have prior knowledge of the checklist project, nor any institutional investment in it, until the project is actually "rolled-out." This will allow researchers to employ a pre-post research design (described below).

Phase 2 will be launched with a training event for attorneys at both offices. Management at both offices will conduct a checklist training highlighting the use of this innovative new tool for

attorneys, paralegals and investigators. Atul Gawande's *How Do We Heal Medicine*, a 20 minute video about the use of checklists which was presented at a TED conference in April 2012 will be shown at the training. Additionally, attorneys who have used checklists will share their experience using checklists in their practice and answer audience questions. Finally, the Project Team will unveil the checklists and accompanying materials and invite comments and questions.

The pilot checklists will be widely disseminated and easily accessible on each of the office's intranet. Attorneys will be invited to utilize the checklists and those identified to participate in the study will be required to keep a log provided to them of when a particular checklist is utilized. All use logs will be collected on a monthly basis for evaluation. Project staff will provide ongoing training as needed.

To measure the impact of the pilot and identify opportunities for improvement, Center for Court Innovation researchers will conduct a quasi-experimental study of the impact of the checklists on public defender perceptions and performance in Alameda County. The quasi-experimental study will proceed as follows. While the checklists are in the final stages of development in San Francisco during Phase 1—but after their content is largely known—researchers will initiate research activities in Alameda County. These activities will involve a confidential survey of Alameda public defenders regarding their self-reported training needs as well as their knowledge, attitudes, and behaviors (KAB) in specific areas—and in relation to specific tasks—that (known only to the researchers) the forthcoming checklists will cover.

Subsequently, towards the end of the Phase 2 implementation period, a largely similar confidential survey will be re-administered. First, to estimate the effect of the checklist rollout on public defender knowledge, attitudes, and behaviors, the “post-implementation survey” will repeat the exact same series of questions in each of these domains that appeared on the “pre”

survey. Second, in place of the questions from the “pre” survey that concerned training needs, the latter part of the “post” survey will include an explicit set of questions regarding the perceived utility and value of the training that actually took place. Third, the “post” survey will include specific questions documenting the frequency of use of different ones of the checklists that were rolled-out and documenting the specific perceived utility of each checklist. (Besides this follow-up/post-implementation survey, a standard evaluation form also will be distributed to all Alameda and San Francisco attorneys immediately after the planned training event, with basic questions on the quality of speakers, information, and handouts for each session.)

The pre-post survey methodology will be supplemented by a pre-post analysis of actual case data from criminal cases handled by the Alameda County public defenders in an effort to detect the project’s impact. Possible performance measures include discernible changes in pretrial outcomes (e.g., bail decisions); motion practice; case processing measures; case dispositions; and sentences.

Finally, to obtain more qualitative information regarding the experience of the checklists in both the Alameda and San Francisco sites, focus groups will be held with public defenders at both sites regarding their perceptions of the checklists, strengths, weaknesses, extra time demands (if any) involved in adhering to the checklists, and final suggestions for improvement.

**Phase 3: National Dissemination and Replication (October 1, 2015-September 30, 2016):**

Phase 3 will involve the adaptation of training materials created for implementation of the checklist approach by Alameda County for a national audience. Substantive and procedural issues that are state-specific will be noted so that practitioners can adapt as needed. Project staff will develop a toolkit for implementing the checklists and using them to improve training, practice and supervision of indigent defense counsel. The toolkit will also include a final training

curriculum, revised based on feedback gained after the pilot San Francisco/Alameda training sessions. Moreover, project staff will use feedback solicited from attorneys trained during the pilot period to improve the format and content of the checklist training materials, as well as the checklist tools themselves. Tools will include sample checklists, a practitioner guide for replicating the model, a brief training curriculum/recommended agenda; and a summary of lessons learned. Project researchers will also publish a summary report that documents the content of the San Francisco checklists; the rationale for different elements in the checklist materials; and the findings from the aforementioned research activities. The finalized checklists will be made nationally available, at no cost to recipients. The technical assistance network and internet support system within the Office of the Public Defender will be established and assistance will be provided as needed.

### *Capabilities and Competencies*

#### **Management Structure and Staffing**

The day-to-day Project Team will be composed of an attorney (to be named) and a legal assistant (to be named). The attorney (to be named) will be the Project Coordinator, while Mr. Robert Dunlap, J.D., will be available, as needed, to support the Project Team and provide oversight of the project. The Project Team will be primarily responsible for practical development and expansion of the checklists, and the attorney will provide training to jurisdictions nationwide, and acting as the technical assistance point of contact.

The Office of the San Francisco Public Defender is led by Jeff Adachi, J.D. As the Public Defender for the City and County of San Francisco, Mr Adachi is California's only publically elected public defender. He served as a deputy public defender for 15 years, and has been the

Public Defender since March 2002. He has tried over 100 criminal cases and represented more than 3,000 indigent defendants. He served on the American Bar Association's Standing Committee on Legal Aid and Indigent Defense and is a past board member of California Attorneys for Criminal Justice. In 2006, Mr. Adachi received the California Public Defender Association's Program of the Year Award, and the American Bar Association's national award for excellence in public defense. In 2007, he was the recipient of the prestigious California Lawyer Attorney of the Year award (CLAY) for his work in the field of prisoner reentry.

Robert Dunlap, J.D.: Mr. Dunlap has a J.D. from University of California, Davis; he is a Deputy Public Defender and Felony Managing Attorney at the San Francisco Public Defender's Office. Mr. Dunlap is a seasoned trial attorney with extensive criminal experience. He has handled a full range of criminal cases, including serious and violent felonies, gang cases, homicide, and sex offenses. Mr. Dunlap has extensive experience and training in special areas affecting criminal defense practice, including exonerations and false convictions, DNA, police misconduct, eyewitness testimony, and gangs. He has been instrumental in improving the quality of training at the Public Defender's office.

The Center for Court Innovation will serve as the project's research partner, as well as provide writing and technical assistance support. The principal investigator of the pilot study will be Melissa Labriola (Principal Investigator). Based on close input and review by the Center's research director, Michael Rempel, Dr. Labriola will write all evaluation tools, develop the plan for administering pre- and post-implementation surveys and official records data analyses, and conduct all project analyses. Melissa Labriola is an associate director of research at the Center. She is currently the lead researcher on the Center's current collaboration with the Committee for Public Counsel Services in Massachusetts, as well as the project director on two separate

national studies (one a representative survey of law enforcement agencies nationwide and the other a multi-site process and impact study) of pretrial diversion programs. Recently, Dr. Labriola served as principal investigator (PI) on a randomized controlled trial (RCT) of intensive judicial monitoring with domestic violence offenders; and PI on a statewide evaluation of New York's domestic violence courts. Michael Rempel (Co-PI) has been the Center's research director since 2002 and is ultimately responsible for all research at the agency. Current projects include serving as PI on the Center's *Defending Childhood* evaluation; a national study of pretrial diversion programs; and a RCT of an evidence-based risk/needs assessment and treatment matching protocol (using the LSI-R tool). He is also Co-PI on a national evaluation of specialized reentry courts, an evaluation of a "community justice center" in southwest Brooklyn (NY). Primarily during Phase 3 of the project, Brett Taylor, deputy director of national technical assistance, and Sarah Schweig, a senior communications associate, will join the project to assist with the development of toolkit materials developed for the benefit of other jurisdictions.

The Center for Court Innovation is a nonprofit think tank with a 15-year history of justice innovation designed to address the problems of defendants, victims, and communities. The Center achieves its mission through a combination of demonstration projects, technical assistance, and rigorous research to determine what works and what does not. The Center has played a major role in the planning and implementation of over 50 demonstration projects throughout New York State. In addition, the Center currently provides technical assistance to criminal justice systems throughout the country on cutting-edge issues including community prosecution, criminal justice responses to drug-addicted offender, and domestic violence. National awards received by the Center include the Peter F. Drucker Award for Non-Profit

Innovation and the Innovations in American Government Award from Harvard University and the Ford Foundation.

The Center's research department has a reputation for conducting rigorous research on justice reform initiatives nationwide. The Center is currently leading a national, multi-site evaluation of the Attorney General's *Defending Childhood Demonstration Program*; a national study of pretrial diversion programs; a multi-site study of gang involvement among tribal youth; separate quasi-experimental impact evaluations of specialized drug courts and specialized domestic violence courts in New York State; and four separate randomized controlled trials (RCTs) respectively focused on evidence-based assessment; intensive judicial monitoring; an experimental parole reentry model; and a teen dating violence prevention program.

The Center's multiple technical assistance departments now assist jurisdictions throughout the United States and internationally on developing, implementing, and disseminating cutting-edge reform initiatives in both criminal and civil justice systems. Of particular relevance to the current project, the Center is currently providing a blend of best practice, research, and technology related technical assistance to the statewide public defender agency in Massachusetts, which is known as Committee for Public Counsel Services (CPCS).

#### **Plan for Collecting Data and Project Sustainment**

A rigorous evaluation has been planned as an inherent part of the proposed field-initiated program. As described previously, the evaluation will involve a quasi-experimental comparison of knowledge, attitudes, and self-reported practices, as well as actual criminal case outcomes, during periods of time immediately preceding and following the implementation of checklists in Alameda County. Research findings will be directly incorporated into toolkit materials (e.g., potentially leading to final revisions of the checklists, training curricula, or instructions given to



attorneys) during the Phase 3 toolkit production and dissemination process. In short, national dissemination and replication efforts will build in rigorous evaluation findings wherever appropriate. In addition, the applicants are familiar with standard BJA reporting requirements and with the importance of GPRA measures and will ensure full compliance by tracking the completion of each project task identified within this proposal as well as date of completion (to determine fidelity to timeline) and other relevant indicators (e.g., numbers of attorneys trained in each jurisdiction, numbers of pre-implementation and post-implementation surveys completed, sample size for final analyses of case outcome data, etc.).

The Public Defender will continue to advance checklists as an evidence-based tool for excellent defense. The Public Defender has a rigorous training program for its attorneys and private defenders and will continue to build on this foundation of stability as it incorporates the use of checklists into its training curriculum. Together with the Center for Court Innovation, the Public Defender will document program development and implementation to assist with future replication efforts and disseminate the final report to public defender offices and indigent defense providers, both statewide and nationally. The findings and checklists will also be shared with statewide organizations including the California Public Defenders Association and other such organizations as well as national organizations such as the National Legal Aid and Defender Organization. Since the checklists themselves are portable and easily shared, the Public Defender will commit to engage in the widespread dissemination of the checklists by publishing them on defense related websites and by attending defense conferences to advocate for the use of checklists as best practice.



Department of Justice  
Office of Justice Programs

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Office of the Assistant Attorney General

Washington, D.C. 20531

September 30, 2013

Ms. Simin O'Brien  
City and County of San Francisco  
1 Dr. Carlton Goodlett Place  
Suite 496 - City Hall  
San Francisco, CA 94102-4676

Dear Ms. O'Brien:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 13 Encouraging Innovation: Field-Initiated Programs: State, Local or Tribal Projects - Full Proposal in the amount of \$395,231 for City and County of San Francisco.

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, Veronica Munson, Program Manager at (202) 514-7710; 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](mailto:ask.ocfo@usdoj.gov).

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in cursive script that reads "Karol V. Mason".

Karol Virginia Mason  
Assistant Attorney General

Enclosures



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

Grant

PAGE 1 OF 5

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City and County of San Francisco 1 Dr. Carlton Goodlett Place Suite 496 - City Hall San Francisco, CA 94102-4676		4. AWARD NUMBER: 2013-DB-BX-0047	
		5. PROJECT PERIOD: FROM 10/01/2012 TO 09/30/2014 BUDGET PERIOD: FROM 10/01/2012 TO 09/30/2014	
1A. GRANTEE IRS/VENDOR NO. 946000484		6. AWARD DATE 09/30/2013	7. ACTION Initial
3. PROJECT TITLE Checklists for Defense: A Training Strategy for Public Defenders Project		8. SUPPLEMENT NUMBER 00	9. PREVIOUS AWARD AMOUNT \$ 0
		10. AMOUNT OF THIS AWARD	\$ 395,231
		11. TOTAL AWARD	\$ 395,231

12. SPECIAL CONDITIONS  
THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTHON THE ATTACHED PAGE(S).

13. STATUTORY AUTHORITY FOR GRANT  
This project is supported under FY13(BJA - Byrne Competitive) Pub. L. No. 113-6, 127 Stat. 198, 253

15. METHOD OF PAYMENT  
GPRS

[REDACTED] AGENCY APPROVAL [REDACTED]	[REDACTED] GRANTEE ACCEPTANCE [REDACTED]
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Karol Virginia Mason Assistant Attorney General	18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Simin O'Brien Director of Specialty Courts & Reentry Programs

17. SIGNATURE OF APPROVING OFFICIAL <i>Karol V. Mason</i>	19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL <i>Simin O'Brien</i>	19A. DATE 10/1/13
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[REDACTED] AGENCY USE ONLY [REDACTED]	
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR FUND CODE BUD. A CT. OFC. DIV. RE G. SUB. POMS AMOUNT X B D2 80 00 00 395231	21. MD2UGT1439

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



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

**AWARD  
CONTINUATIONSHEET  
Grant**

PAGE 2 OF 5

PROJECT NUMBER 2013-DB-BX-0047

AWARD DATE 09/30/2013

*SPECIAL CONDITIONS*

1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -

mail:

Office of the Inspector General  
U.S. Department of Justice  
Investigations Division  
950 Pennsylvania Avenue, N.W.  
Room 4706  
Washington, DC 20530

e-mail: [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov)

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at [www.usdoj.gov/oig](http://www.usdoj.gov/oig).

6. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
7. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.

*8/30/13*



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

**AWARD  
CONTINUATIONSHEET  
Grant**

PAGE 3 OF 5

PROJECT NUMBER 2013-DB-BX-0047

AWARD DATE 09/30/2013

*SPECIAL CONDITIONS*

8. The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OJP). The recipient also agrees to comply with applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/sam.htm> (Award condition: Registration with the System for Award Management and Universal Identifier Requirements), and are incorporated by reference here. This special 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).
9. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
10. The recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies, and guidance is available at [www.ojp.gov/funding/confcost.htm](http://www.ojp.gov/funding/confcost.htm).
11. The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm>.
12. The recipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this OJP award, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this OJP award, the recipient will promptly notify, in writing, the grant manager for this OJP award, and, if so requested by OJP, seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.
13. The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.
14. The recipient understands and agrees that - (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
15. The recipient agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/ffata.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

*QOB*



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

**AWARD  
CONTINUATIONSHEET  
Grant**

PAGE 4 OF 5

PROJECT NUMBER 2013-DB-BX-0047

AWARD DATE 09/30/2013

*SPECIAL CONDITIONS*

16. Award recipients must verify 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.
17. The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.
18. The recipient agrees to submit to BJA for review and approval any curricula, training materials, proposed publications, reports, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) working days prior to the targeted dissemination date. Any written, visual, or audio publications, with the exception of press releases, whether published at the grantee's or government's expense, shall contain the following statements: "This project was supported by Grant No. 2013-DB-BX-0047 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the OJP Financial Guide provides guidance on allowable printing and publication activities.
19. Any Web site that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service:  
  
"This Web site is funded [insert "in part." if applicable] through a grant from the [insert name of OJP component], Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)."  
  
The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.
20. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.

801B



Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

AWARD  
CONTINUATIONSHEET  
Grant

PAGE 5 OF 5

PROJECT NUMBER 2013-DB-BX-0047

AWARD DATE 09/30/2013

*SPECIAL CONDITIONS*

21. The recipient acknowledges that the Office of Justice Programs (OJP) reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) any work subject to copyright developed under an award or subaward; and (2) any rights of copyright to which a recipient or subrecipient purchases ownership with Federal support.

The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under an award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.227-14 (Rights in Data - General).

It is the responsibility of the recipient (and of each subrecipient, if applicable) to ensure that this condition is included in any subaward under this award.

The recipient has the responsibility to obtain from subrecipients, contractors, and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed subrecipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the OJP program manager for the award and not proceed with the agreement in question without further authorization from the OJP program office.

22. Approval of this award does not indicate approval of any consultant rate in excess of \$450 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.
23. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

24. All contracts under this award should be competitively awarded unless circumstances preclude competition. When a contract amount exceeds \$100,000 and there has been no competition for the award, the recipient must comply with rules governing sole source procurement found in the current edition of the OJP Financial Guide.
25. The recipient may not obligate, expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.
26. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with OJP (including the grant manager for this award and the Office of Chief Financial Officer (OCFO)) on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to OJP all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by OJP for providing the requested documents. Failure to cooperate with OJP's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).



**Department of Justice**  
Office of Justice Programs  
*Bureau of Justice Assistance*

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Washington, D.C. 20531

**Memorandum To:** Official Grant File

**From:** Terry Orbin, NEPA Coordinator

**Subject:** Categorical Exclusion for City and County of San Francisco

Awards made under this solicitation are designed to prevent and reduce crime and enhance the criminal justice system through collaboration with the field to identify, define, and respond to emerging or chronic crime problems and systemic issues. The program will help local communities improve the capacity of local justice systems and provide for national criminal justice support efforts.

None of the following activities will be conducted either under the OJP federal action or a related third party action:

- 1) New construction;
- 2) Any renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain;
- 3) A renovation which will change the basic prior use of a facility or significantly change its size;
- 4) Research and technology whose anticipated and future application could be expected to have an effect on the environment; or
- 5) Implementation of a program involving the use of chemicals.

Additionally, the proposed action is neither a phase nor a segment of a project which when reviewed in its entirety would not meet the criteria for a categorical exclusion. Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.





Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

**GRANT MANAGER'S MEMORANDUM, PT. I:  
PROJECT SUMMARY**

**Grant**

PROJECT NUMBER

2013-DB-BX-0047

PAGE 1 OF 1

This project is supported under FY13(BJA - Byrne Competitive) Pub. L. No. 113-6, 127 Stat. 198, 253.

**1. STAFF CONTACT (Name & telephone number)**

Veronica Munson  
(202) 514-7710

**2. PROJECT DIRECTOR (Name, address & telephone number)**

Simin O'Brien  
Director  
555 7th Street  
2nd Floor  
San Francisco, CA 94103-4709  
(415) 553-9316

**3a. TITLE OF THE PROGRAM**

BJA FY 13 Encouraging Innovation: Field-Initiated Programs: State, Local or Tribal Projects - Full Proposal

**3b. POMS CODE (SEE INSTRUCTIONS  
ON REVERSE)**

**4. TITLE OF PROJECT**

Checklists for Defense: A Training Strategy for Public Defenders Project

**5. NAME & ADDRESS OF GRANTEE**

City and County of San Francisco  
1 Dr. Carlton Goodlett Place Suite 496 - City Hall  
San Francisco, CA 94102-4676

**6. NAME & ADDRESS OF SUBGRANTEE**

**7. PROGRAM PERIOD**

FROM: 10/01/2012 TO: 09/30/2014

**8. BUDGET PERIOD**

FROM: 10/01/2012 TO: 09/30/2014

**9. AMOUNT OF AWARD**

\$ 395,231

**10. DATE OF AWARD**

09/30/2013

**11. SECOND YEAR'S BUDGET**

**12. SECOND YEAR'S BUDGET AMOUNT**

**13. THIRD YEAR'S BUDGET PERIOD**

**14. THIRD YEAR'S BUDGET AMOUNT**

**15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)**

The Encouraging Innovation: Field-Initiated (FI) Program is funded under the Edward Byrne Memorial Justice Assistance Grant Program (42 U.S.C. 3751(a) et seq.), the primary provider of federal criminal justice funding to state, local and tribal jurisdiction. It is designed to prevent and reduce crime and enhance the criminal justice system through collaboration with the field to identify, define, and respond to emerging or chronic crime problems and systemic issues. The FI Program furthers the Department's mission by trying new approaches, addressing gaps in responses, building or translating research knowledge, or building capacity to address the issues that bring fresh perspectives and ideas to enhance practices and prevent crime in the field.

The San Francisco Public Defender's Office together with the Center for Court Innovation, will document program development and implementation to assist with future replication efforts and disseminate the final report to public defender offices and indigent defense providers, both statewide and nationally. CA/NCF

President, District 3  
BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-7450  
Fax No. 554-7454  
TDD/TTY No. 544-5227

DAVID CHIU  
邱信福  
市參事會主席

**PRESIDENTIAL ACTION**

Date: 4/23/2014

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,

Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. ~~140399~~ 140339 Kim  
(Primary Sponsor)

Title. Accept Expend - Public Defender - \$395,231

Transferring (Board Rule No. 3.3)

File No. \_\_\_\_\_  
(Primary Sponsor)

Title. \_\_\_\_\_

From: \_\_\_\_\_ Committee

To: \_\_\_\_\_ Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor \_\_\_\_\_

Replacing Supervisor \_\_\_\_\_

For: \_\_\_\_\_ Meeting  
(Date) (Committee)

RECEIVED  
BOARD OF SUPERVISORS  
SALFORD HINSON  
2014 APR 23 PM 2:56

*David Chiu*  
David Chiu, President  
Board of Supervisors

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

Time stamp  
or meeting date: 2014 APR 08 PM 10:10

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

Supervisor Kim

**Subject:**

Accept and Expend Encouraging Innovation: Field Initiated Programs, Bureau of Justice Assistance Grant and Amendment to Annual Salary Ordinance, FY 2013-2014

**The text is listed below or attached:**

See attached.

Signature of Sponsoring Supervisor:



For Clerk's Use Only:

