



Capital Area Council of Governments Criminal Justice Advisory Committee (CJAC) FY 2013 Policy Statement

The following policies and procedures are established for the purpose of defining the rules and regulations that will govern the Capital Area Council of Government's (CAPCOG) Criminal Justice Advisory Committee (CJAC) application review and prioritization process for designated funding streams controlled by the Criminal Justice Division (CJD) of the Governor's Office. In addition, these policies and procedures govern the operation of CAPCOG's Criminal Justice Planning as outlined in the Interagency Cooperation Agreement between the CJD and CAPCOG as it relates to CAPCOG's Criminal Justice Advisory Committee (CJAC).

COMPLIANCE WITH ADMINISTRATIVE RULES AND REGULATIONS

All policies, rules, and regulations set forth in this document are in compliance with the Texas Administrative Code (TAC), Title 1, Part 1, Chapter 3, and the state and federal statutes, rules and regulations adopted by reference in Texas Administrative Code Section 3.19.

Section 3.1 of the Texas Administrative Code; Applicability, Subchapters A through F of this chapter applies to all applications for funding and grants submitted to the Criminal Justice Division (CJD) Office of the Governor. Subchapter A covers the general provisions for grant funding. Subchapter B addresses general eligibility and budget rules for grant funding. Subchapter C outlines specific eligibility and budget rules applicable to various funding sources available to CJD; these rules are in addition to all other general rules in this chapter. Subchapter D provides rules detailing the conditions CJD may place on grants. Subchapter E sets out the rules related to administering grants. Subchapter F specifies rules regarding program monitoring and audits. Information regarding the TAC and the Governor's Office can be viewed on the website of the Texas Secretary of State, at:

[http://info.sos.state.tx.us/pls/pub/readtac\\$ext.ViewTAC?tac_view=4&ti=1&pt=1&ch=3](http://info.sos.state.tx.us/pls/pub/readtac$ext.ViewTAC?tac_view=4&ti=1&pt=1&ch=3)

All meetings of the CJAC will be held in compliance with the general provisions of the Government Code, Chapter 551. Open Meetings Act, which can be viewed online at:

<http://www.sos.state.tx.us/texreg/index.shtml>

CRIMINAL JUSTICE-RELATED COMMUNITY PLANNING

- A. CAPCOG Criminal Justice Coordination staff may provide helpful forms and guidelines on the CAPCOG website for those counties/communities wishing to develop a criminal justice-related community plan.
- B. Counties/Communities wishing to submit a criminal justice-related community plan for posting on the CAPCOG website, must submit the plan to the presiding Commissioner's Court for review/approval and signature BEFORE CAPCOG will post the plan on the CAPCOG website.

GRANT APPLICANT ELIGIBILITY

- A. Eligibility requirements for criminal justice-related grant solicitations are set by the Governor's Office, Criminal Justice Division (CJD). Please refer to the eGrants' website at the following link to review applicant eligibility requirements:

<https://cjdonline.governor.state.tx.us/>

OFFICIAL GRANT APPLICATION SUBMISSION

- A. Grant applications must be submitted directly to the Governor's Office, Criminal Justice Division via the online eGrants web-based system by the CJD designated deadline.
- B. The eGrants system will not accept late application submissions.

CAPCOG ELIGIBILITY REQUIREMENTS FOR APPLICANT PARTICIPATION IN THE CJAC APPLICATION REVIEW AND PRIORITIZATION PROCESS

- A. Only applications that are certified and submitted through the eGrants web-based system by the CJD designated deadline will be considered for participation in CAPCOG's CJAC application review and prioritization process.
- B. To be eligible to participate in CAPCOG's CJAC application review and prioritization process, the applicant agency must be located in OR provide services within, Burnet, Blanco, Bastrop, Caldwell, Hays, Fayette, Lee, Llano, Travis or Williamson counties; the 10 county CAPCOG area known as Region 12.
 - 1. Agencies within the CAPCOG region may expand their service area outside of the CAPCOG 10-county region, however, the CJAC will only consider applications for funding that will provide services WITHIN Region 12.
 - 2. Funding for areas OUTSIDE of Region 12 must be submitted to the appropriate COG OR directly to the Governor's Office, Criminal Justice Division, if state-wide consideration is appropriate.
 - 3. Agencies headquartered outside of the CAPCOG 10-county area may submit a grant application for CJAC review and prioritization IF the funding being requested will be used to provide services WITHIN Region 12.
- C. Agencies that receive funds directly from their state association or directly from CJD for basic service programs, must apply directly through their state association or CJD and may not apply for funds that are prioritized by CAPCOG. (Examples include but are not limited to: *Mothers Against Drunk Driving, Crime Stoppers, and Court Appointed Special Advocates.*)
- D. The Governor's Office, CJD will make the final determination as to which funding source is most appropriate for each application.

APPLICANT/GRANTEE STATUS DEFINITIONS

- A. A current grantee is an agency/organization that is receiving funding through the Governor's Office, CJD and implementing a program during the current Plan Year of September 1st through August 31st.

- B. A new applicant is defined as any agency/organization that has never been funded through any funding source, OR has not been funded through the CAPCOG regional CJD allocation for the past five years or more for the project for which funding is currently being requested.
- C. A new project is defined as any project that has never been funded through any funding source, has not been funded through the CAPCOG regional CJD allocation for the past five years or more, OR is a currently funded project that has significantly changed the scope of work or target group of the project.

FUND SOURCE INFORMATION

- A. The grant applications that will be reviewed by the CJAC include, but are not limited to the following funding sources from the Governor's Office Criminal Justice Division:
 - 1. General Victim Assistance – Direct Services (GVA-DS);
 - 2. Violent Crimes Against Women Criminal Justice and Training Projects – Domestic Violence, Sexual Assault, Dating Violence and Stalking;
 - 3. Criminal Justice Programs, and
 - 4. General Juvenile Justice and Delinquency Prevention Programs
 - 5. Any additional or unique fund sources that CJD determines appropriate
- B. Notifications of Funding Availability
 - 1. CAPCOG will notify potential applicants of grant application submission deadlines by sending out emails and posting information on the CAPCOG website, www.capcog.org.

FUND SPECIFIC REQUIREMENTS

A. General Victim Assistance – Direct Services (GVA-DS)

- 1. This is a competitive grant that requires the submission of a new application to the Governor's Office, CJD through the eGrants web-based system each year funding is desired.
- 2. No limit or maximum number of years of funding, provided funds are available and application receives qualifying scores from the CJAC
- 3. Decreasing Fund Ratio: No
- 4. Required Match: Grantees, other than Native American Tribes, may be required to provide matching funds of at least twenty percent (20%) of total project expenditures. Native American Tribes may be required to provide a five percent (5%) match. This requirement may be met through cash and/or in-kind contributions.
- 5. Funding recommendation cap of \$75,000 per Tier 1 application, and \$65,000 per Tier 2 application, for a maximum of 2 applications per agency/applicant EXCEPT in the case of a single agency providing domestic violence, sexual assault, AND children's advocacy services. An agency meeting this description will be allowed to submit one additional adult application per tier and one additional child application per tier for a total of 2 applications per tier.
- 6. Total agency/applicant requests cannot equal more than 50% of the applicant/agency's current total operating budget

7. First time GVA-DS applicants (an agency/applicant that have never been awarded GVA-DS funding before, OR, have not received GVA-DS funding within the last five years) are limited to submitting one application for a maximum amount of \$ 50,000 for only one program.
8. All other GVA-DS applicants are limited to submitting funding requests to support a maximum of three CJD defined activities per application.
9. Applicants will self-select their own applications to Tier 1 or Tier 2 status. All agencies will have one application ranked in Tier 1. Agencies that submit a second application would then have the second application ranked in Tier 2. This ensures that all applicants get a first shot at funding before any agency has two applications funded.
10. Applicants who have a current grant through CJD and are placed on Vendor Hold will have points deducted from the score sheet of their next CJAC reviewed application request for funding.
11. Agencies that receive GVA-DS grant money from their statewide affiliate agencies are not eligible to apply for GVA-DS funding that is allocated to Region 12 through the CAPCOG Criminal Justice Advisory Committee Application Review Process. These agencies include, but are not limited to: Texas Advocacy, MADD, Legal Aid Society, Court Appointed Special Advocates (CASA, Texas Department of Public Safety).

B. Violent Crimes Against Women Criminal Justice and Training Projects – Domestic Violence, Sexual Assault, Dating Violence and Stalking

1. This is a competitive grant that requires the submission of a new application to the Governor's Office, CJD through the eGrants web-based system each year funding is desired.
2. No limit to maximum number of years of funding, provided funds are available and application receives qualifying scores from the CJAC
3. Decreasing Fund Ratio: No
4. Required Match: Grantees, other than Native American tribes and non-profit, non-governmental victim service providers, must provide matching funds of at least thirty-five percent (35%) of total project expenditures. This requirement may be met through cash and/or in-kind contributions.
5. Applicants who have a current grant through CJD and are placed on Vendor Hold will have points deducted from the score sheet of their next CJAC reviewed application request for funding.
6. FY 2012 funding caps and other application specifications, if applicable, will be posted on the CAPCOG website: www.capcog.org

C. Criminal Justice Programs

1. This is a competitive grant that requires the submission of a new application to the Governor's Office, CJD through the eGrants web-based system each year funding is desired.
2. Three year funding maximum, provided that funding is available and the third year funding request amount does not fall below \$10,000.
3. Decreasing Fund Ratio: Yes – 3 years. First year's award is the 100% mark, with a second year eligible request amount of 80% of the first year's award amount and a third year eligible request amount of 60% of the first year's award amount.
4. Required Match: None

5. For FY 2013, the CJAC will cap funding recommendations under this solicitation to \$75,000, regardless of the requested funding amount listed on the application.
6. ***EXCEPTION** –CAPCOG’s Regional Law Enforcement Academy (RLEA) is recommended for funding at 100% of the request amount listed on the application. The RLEA application is not subject to CJAC review and prioritization, but is instead, reviewed and approved by CAPCOG’s Executive Committee directly. The RLEA’s application is also not subject to the decreasing ratio rule.
7. **Equipment Only Funding Requests:** Applicants requesting funding only for equipment and no programmatic services, will be considered a “one-time” only applicant and will not be eligible for the Decreasing Fund Ratio for subsequent years.
8. Applicants who have a current grant through CJD and are placed on Vendor Hold will have points deducted from the score sheet of their next CJAC reviewed application request for funding.

D. General Juvenile Justice and Delinquency Prevention Programs

1. This is a competitive grant that requires the submission of a new application to the Governor’s Office, CJD through the eGrants web-based system each year funding is desired.
 2. Three year funding maximum, provided that funding is available and the third year funding request amount does not fall below \$10,000.
 3. Decreasing Fund Ratio: Yes – 3 years. First year’s award is the 100% mark, with a second year eligible request amount of 80% of the first year’s award amount and a third year eligible request amount of 60% of the first year’s award amount.
 4. Required Match: None
 5. FY 2013 funding caps and other application specifications, if applicable, will be posted on the CAPCOG website: www.capcog.org
 6. Applicants who have a current grant through CJD and are placed on Vendor Hold will have points deducted from the score sheet of their next CJAC reviewed application request for funding.
- E. Any additional or unique fund sources that CJD determines appropriate
1. Information for fund sources not listed above will be posted on the CAPCOG website: www.capcog.org
- F. Requirements for the fund sources listed above are subject to change at any time per instruction from the Governor’s Office, CJD. Grant applicants will be notified of any fund source changes via email notification and postings on the CAPCOG website, www.capcog.org

CAPCOG ATTENDANCE REQUIREMENTS FOR CJD GRANT TRAINING WORKSHOPS

- A. Notifications of CAPCOG-facilitated CJD grant training workshops will be sent out through CAPCOG’s Grant Alert and to all current, and former, grantees. Meetings will also be posted on the CAPCOG website and on the CAPCOG Community Calendar.
1. CAPCOG will schedule and hold Grant Application Workshops to review grant application requests for proposals developed by the Office of the Governor, CJD.
 2. Unless otherwise stated, attendance at CAPCOG-facilitated grant application training workshops is mandatory for both new and current grant applicants.

- a. If an applicant is unable to attend the regularly scheduled workshop, the applicant must contact the CAPCOG Criminal Justice Planner to make alternate arrangements at least 2 hours PRIOR to the scheduled grant application workshop they are unable to attend.
 - b. CAPCOG's Criminal Justice Advisory Committee (CJAC) will not review any application for funding from agencies/organizations that did not have representation at the mandatory grant application workshops or that did not make other training arrangements with CAPCOG Criminal Justice Planning prior to the scheduled grant application workshop.
 - c. Attending a grant application workshop conducted by a COG outside of the CAPCOG region does not substitute for the required attendance at the grant application meeting conducted by CAPCOG.
3. Attendance at CJAC application review and prioritization meetings is always mandatory for both new and current grant applicants.
- a. A representative from each applicant organization shall attend the prioritization meeting. A representative of the applicant agency/organization will be allowed a five (5) minute presentation of the application and shall have the opportunity to answer any questions posed by the CJAC members.
 - b. Failure of an applicant agency/organization to attend the CJAC application review and prioritization meeting will deem the application ineligible for CJAC review and prioritization, which will result in a score of "0" and no recommendation for funding consideration.

CAPCOG TECHNICAL ASSISTANCE

- A. In addition to the CAPCOG-facilitated grant training workshops, applicants may request grant-related technical assistance prior to the applicant's submission of the certified application to CJD.
- B. Criminal Justice Coordination staff will answer questions for both current grantees and new applicants via email consultation as much as practical, as well as in person through a CAPCOG-sponsored technical review meeting.
- C. At least one CAPCOG-sponsored technical review meeting will be scheduled for each fund specific application opportunity.
- D. Criminal Justice Coordination staff will provide current grantees, potential applicants, and others with a copy of the CJAC application review and prioritization scoring instrument, the criteria used in the scoring of applications, and other relevant materials, including relevant policies, procedures, and bylaws, as requested.
- E. The Governor's Office, CJD staff will provide technical assistance on the operation of the eGrants web-based application.

VENDOR HOLD AND SPECIAL CONDITIONS

- A. An applicant that has been placed on Vendor Hold for the current plan year will receive a point deduction on their application for funding for a subsequent year of their project through the CAPCOG CJAC application review process.
- B. An applicant that has a current grant and has been placed on Vendor Hold for the previous plan year and again for the current plan year, is ineligible to participate in the CAPCOG CJAC application review process for ONE calendar year after their current grant has ended.

C. Grantees who have received funds, but:

- 1 did not spend them,
- 2 received funds but did not spend them on the proposed services for which the funding was recommended,
- 3 had their funding award rescinded, or
- 4 had to turn their award back into the Governor's Office because of an inability to spend it as presented to the CJAC during the application and prioritization process,

will not be eligible to participate in the CAPCOG CJAC application review process for a period of ONE year from the end date of the program year for which the funding in question was originally awarded.

CRIMINAL JUSTICE ADVISORY COMMITTEE (CJAC)

- A. The CJAC is a volunteer committee comprised of a multi-disciplinary representation of members from the region per the requirements of the Governor's Office, CJD. These discipline areas include citizens or parents, drug abuse prevention, education, juvenile justice, law enforcement, mental health, nonprofit organizations, prosecution/courts, and victim services. CJAC members are appointed by CAPCOG's Executive Committee.
- B. The primary responsibility of the CJAC is to review criminal justice-related grant applications from throughout the region, score and prioritize applications, and provide funding recommendations, based on a standardized application review and prioritization process and a standardized score sheet, to CAPCOG's Executive Committee for approval to submit the prioritization lists to the Governor's Office, CJD.
- C. To avoid a conflict of interest, members of the CAPCOG's governing body, Criminal Justice Advisory Committee members and CAPCOG staff members must abstain from reviewing, voting or commenting, or taking any action on any application during the prioritization process if the member, planner, or an individual related to the member or planner within the third degree of consanguinity or within the second degree by affinity:
 1. is employed by the applicant agency and works for the unit or division that would administer the grant if awarded; or
 2. serves on any board that oversees the unit or division that would administer the grant if awarded; or
 3. owns or controls any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency; or
 4. receives funds from the applicant as a result of the grant; or uses or receives a substantial amount of tangible goods, services, or funds from the applicant.
- D. At the beginning of each prioritization meeting, the CJAC Chair shall request members to clearly identify any possible conflict of interest when scoring applications.
 1. If a member must abstain from reviewing, voting, commenting, or taking any action on any grant application, the member must also abstain from reviewing, voting, commenting, or taking any action on any competing applications within that funding source during the prioritization process.
 2. Members will clearly state their abstention from voting on certain applications and will not speak on behalf of or in support of an applicant.

3. Members shall write, “ABSTAIN” on each score sheet of each application they do not score due to a conflict of interest.
4. The tabulation of scores for an application is based on the number of members eligible to vote.
5. The highest and lowest score of each application will be eliminated, and an average of the remaining scores will serve as the score of record.

CJAC APPLICATION REVIEW AND PRIORITIZATION PROCESS

A. CJAC Application Review

1. The CJAC will review and score eligible applications at the CJAC application review and prioritization meeting for each of the CJD designated fund sources.
2. An approved application score sheet will be used to evaluate each application submitted for review.
 - a. A minimum score benchmark may be imposed during the application scoring process.
 - b. Applications that do not meet an imposed minimum score will not be recommended for funding consideration.
3. The CJAC **MAY** consider the following factors when scoring and prioritizing applications:
 - a. Any state strategies identified by CJD;
 - b. Priorities identified within the region by the COG resulting from community planning processes;
 - c. Participation in a local community planning process;
 - d. Eligibility, reasonableness, and cost-effectiveness of the proposed project;
 - e. Current COG policies and procedures;
 - f. CAPCOG Criminal Justice Coordination Staff reports and findings from on-site monitoring visits and/or project management performance measures;
 - g. Applicant Vendor Hold status, which will result in a point deduction on the scoring instrument; and
 - h. The availability of funding.
4. CAPCOG Criminal Justice Coordination staff will tabulate all applicant scores and create a prioritization list ranking each application from highest to lowest score.
5. The highest and lowest score of each application will be eliminated, and an average of the remaining scores will serve as the score of record.
6. In the event of a tie score when the projects are totaled, staff will delete the next highest and lowest scores until the tie is broken.
7. Projects will be placed on the priority list in the order of the tiebreaker score.
8. The proposed prioritization list will be forwarded to the CJAC for review, comment, and possible changes to the list order.
9. Post CJAC review, the proposed prioritization list will be sent out to the applicants.
10. CAPCOG Criminal Justice Planning will then submit the proposed prioritization list to the CAPCOG Executive Committee.

- B. Application Recommendations Submitted to the Governor's Office, CJD for Funding Consideration
1. CAPCOG's governing board, the Executive Committee, must review and approve the CJAC prioritization list of applications recommended for funding consideration before it is submitted to the Office of the Governor, CJD.
 2. There is no commitment or obligation on the part of CAPCOG, the Criminal Justice Advisory Committee (CJAC), or CAPCOG's Executive Committee to recommend any application for funding consideration.
 3. All funding decisions are made at the sole discretion of the Governor's Office, CJD.

CAPCOG APPEALS PROCESS FOR GRANT APPLICANTS

- A. The only cause for an appeal that CAPCOG will consider is an alleged scoring error made during the prioritization process that prevents the applicant from achieving a score that allows their application to be submitted to the Governor's Office, CJD for funding consideration.
1. Applicants wishing to appeal an alleged scoring error must complete the following:
 - a. Applicants must submit written notification, signed by the applicant's authorized official, of their intent to appeal, to CAPCOG's Executive Director and the sitting CJAC Chairman at least 24-hours before the CAPCOG Executive Committee's next scheduled meeting where the CJAC priority list of applications recommended for funding consideration will be approved.
 - b. The Appellant must demonstrate that the error actually caused the application (or a portion of the application) to receive a low score that prevented the application from being recommended to CJD for funding consideration.
 2. Letters and phone calls of support will NOT be considered as part of the official appeal process.
 3. Upon receipt of all requested documentation supporting the appeal, the Executive Director may place the appeal on the agenda for the next available meeting of the Executive Committee.
 4. The Chair, Vice Chair, or designated representative from the Criminal Justice Advisory Committee (CJAC) will be present at the Executive Committee meeting that includes the appeal agenda item.
 5. The decision of the Executive Committee will be the final action concerning all appeals.
 6. The Criminal Justice Advisory Committee members will receive a copy of the written appeal, notice of the Executive Committee meeting of which the appeal has been placed on the agenda, and will be notified of the action taken by the Executive Committee regarding the appeal.
- B. The Governor's Office, CJD does not have an appeals process for grant applicants. All CJD funding decisions are made at the sole discretion of the Governor's Office and are final.

Addendum:

Revised By Resolution June 10, 2009

FY 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) applications for funding will follow the policies and processes contained in the FY 2010 CJAC Policy Statement unless otherwise noted in writing through information posted on the CAPCOG website, www.capcog.org. Applicants are advised that additional federal or local guidance could become available and could affect information requested, timelines, reporting requirements, certifications, and other matters related to this fund source. CAPCOG priorities for JAG funded projects are as follows:

1. Multi-jurisdictional/multi-county projects with a focus on regional impact;
2. One-time only equipment purchases that will be used/deployed region-wide; and
3. Existing projects that can be completed with a one-time grant.

Revised By Resolution November 9, 2011

Revised By Resolution November 10, 2010

Revised By Resolution December 9, 2009

Revised By Resolution June 10, 2009

Revised By Resolution January 14, 2009

Revised By Resolution November 12, 2008

Revised By Resolution December 12, 2007

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Revised by Resolution on September 19, 2000