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## **Capital Area Council of Governments Criminal Justice Advisory Committee (CJAC) PY 2023 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's) Criminal Justice Advisory Committee (CJAC) application review and prioritization process for designated funding streams controlled by the Public Safety Office's Criminal Justice Division (PSO) of the Office of the Governor. In addition, these policies and procedures govern the operation of CAPCOG's Criminal Justice Planning as outlined in the Interagency Cooperation Agreement between the PSO and CAPCOG as it relates to CAPCOG's CJAC.

### **COMPLIANCE WITH ADMINISTRATIVE RULES AND REGULATIONS**

All policies, rules, and regulations outlined in this document comply 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.

1 TAC Part 1, Chapter 3; Applicability, Subchapters A, B, D, E, and F of this chapter applies to all applications for funding and grants submitted to the PSO 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 D provides rules detailing the conditions PSO 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 Office of the Governor's rules can be viewed on the website of the Texas Secretary of State, at:

[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac\\_view=3&ti=1&pt=1](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=3&ti=1&pt=1)

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

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

### **CRIMINAL JUSTICE-RELATED STRATEGIC PLANNING**

CAPCOG's Criminal Justice Strategic Plan includes priorities identified by stakeholders, communities, and agencies in the CAPCOG region, including, non-profit organizations, municipalities, counties, citizens or parents, substance abuse prevention, law enforcement, mental health, prosecution or courts, juvenile justice, education, and/or victim services. While forming this plan, participants identify community problems and resource needs; develop realistic goals, strategies, tasks, and performance measures; collect relevant supporting data; describe potential

implementation plans; and, identify existing efforts and resources. Priorities are established based on this information.

### **GRANT APPLICANT ELIGIBILITY**

Criminal justice-related grant solicitations include eligibility requirements set by the Office of the Governor, PSO. Please refer to the eGrants website at the following link to review applicant eligibility requirements:

<https://egrants.gov.texas.gov/>

### **OFFICIAL GRANT APPLICATION SUBMISSION**

- A. Grant applications must be submitted directly to the PSO via the online eGrants web-based system by the PSO 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. To be considered for participation in CAPCOG's CJAC application review and prioritization process, applications must be certified and submitted through eGrants by the PSO designated deadline.
- B. To be eligible to participate in CAPCOG's CJAC application review and prioritization process, the applicant must provide services within Bastrop; Blanco; Burnet; Caldwell; Fayette; Hays; 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 coordinate with the appropriate COG.
  - 3. Agencies headquartered outside of the CAPCOG 10-county area may submit a grant application for CJAC review and prioritization if the requested funding will be used to provide services within Region 12.
- C. Agencies that receive funds directly from their state association or directly from PSO for basic service programs, must apply directly through their state association or PSO and may not apply for funds that are prioritized by CAPCOG. (Examples include but are not limited to: *Mothers Against Drunk Driving; Crime Stoppers; Children's Advocacy Centers; and, Court Appointed Special Advocates.*)
- D. PSO will make the final determination as to which funding source is most appropriate for each application.

### **PROJECT AND APPLICANT/GRANTEE STATUS DEFINITIONS**

- A. A current grantee is an agency/organization that is receiving funding through the Office of the Governor, PSO, and implementing a program during the current Plan Year of September 1<sup>st</sup> through August 31<sup>st</sup>.
- 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 PSO allocation within the past five years 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 PSO allocation within the past five years, or is a currently funded project that has significantly changed the scope of work or target group of the project.
- D. A continuation project is defined as any project that is currently ongoing where the applicant is requesting funds from the same fund source to continue the project for an additional funding cycle.

## **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 Office of the Governor, PSO:
  - 1. Criminal Justice Program (JAG);
  - 2. General Victim Assistance Direct Services Program (VOCA);
  - 3. Juvenile Justice and Truancy Prevention Grant Programs – Juvenile Justice Projects (JJ);
  - 4. Juvenile Justice and Truancy Prevention Grant Programs – Truancy Prevention Projects (TP);
  - 5. Residential and Community-Based Services for Victims of the Commercial Sexual Exploitation of Youth (CSEY);
  - 6. Violent Crimes Against Women Criminal Justice and Training Program (VAWA); and,
  - 7. Any additional or unique fund sources that PSO determines appropriate
- B. Requirements for CAPCOG recommended projects:
  - 1. Agencies may submit a maximum of 3 applications per fund source.
    - a) Applications will be grouped into three tiers. All applications in Tier 1 will be recommended for funding before any applications in Tier 2 are recommended for funding. All applications in Tier 2 will be recommended for funding before any applications in Tier 3 are recommended for funding.
    - b) All applicants will be allowed one Tier 1 application, one Tier 2 application, and one Tier 3 application.
    - c) Applicants will self-select their Tier 1, Tier 2, and Tier 3 applications at submittal and prior to applications being reviewed by the CJAC.
  - 3. Applications must receive a minimum score of 70 to be recommended as a Quality Project for funding consideration by PSO.
  - 4. For each application, an applicant is required to provide CAPCOG the minimum funding amount required to conduct the proposed project before being reviewed by the CJAC.

## **FUND SPECIFIC REQUIREMENTS**

### **A. Criminal Justice Program (JAG)**

- 1. This is a competitive grant that requires the submission of a new application to the Office of the Governor, PSO through the eGrants web-based system each year funding is desired.
- 2. A 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: The first year's award is the 100% mark, with a second-year's request eligible for 80% of the first year's award amount, and a third-year's request eligible for 60% of the first year's award amount.
4. Required Match: None
5. **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.
6. CAPCOG priorities for Criminal Justice Program funded projects are as follows:
  - i. Multi-jurisdictional/multi-county projects with a focus on regional impact; and,
  - ii. Existing projects that can be completed with a one-time grant.

**B. General Victim Assistance Direct Services Program (VOCA)**

1. This is a competitive grant that requires the submission of a new application to the Office of the Governor, PSO through the eGrants web-based system annually for the first two years funding is desired and biennially after that.
2. 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. This requirement may be met through cash and/or in-kind contributions.
3. An exception will be made for agencies providing domestic violence, sexual assault, and children's advocacy services. These agencies will be allowed to submit 3 applications to provide services to adults and 3 applications to provide services to children for a maximum of 6 applications. These agencies may designate one application to provide services to adults and one application to provide services for children to each funding tier identified in Fund Source Information (C).
4. Total agency/applicant requests cannot equal more than 50% of the applicant/agency's current total operating budget.
5. First-time VOCA applicants (an agency/applicant that has never been awarded VOCA funding before, OR, have not received VOCA funding within the last five years) are limited to submitting one application.
6. Agencies that receive VOCA grant money from their statewide affiliate agencies are not eligible to apply for VOCA funding that is allocated to Region 12 through the CAPCOG CJAC Application Review Process. These agencies include but are not limited to: Texas Children's Advocacy Centers; Mother Against Drunk Driving; Legal Aid Society; Court Appointed Special Advocates (CASA); and, Texas Department of Public Safety.

**C. Juvenile Justice and Truancy Prevention Grant Programs – Juvenile Justice Projects (JJ)**

1. This is a competitive grant that requires the submission of a new application to the Office of the Governor, PSO through the eGrants web-based system each year funding is desired.
2. A 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: The first year's award is the 100% mark, with a second-year's request eligible for 80% of the first year's award amount, and a third-year's request eligible for 60% of the first year's award amount.

4. Required Match: None

**D. Juvenile Justice and Truancy Prevention Grant Programs – Truancy Prevention Projects (TP)**

1. This is a competitive grant that requires the submission of a new application to the Office of the Governor, PSO through the eGrants web-based system each year funding is desired.
2. Required Match: None

**E. Residential and Community-Based Services for Victims of the Commercial Sexual Exploitation of Youth (CESY)**

1. This is a competitive grant that requires the submission of a new application to the Office of the Governor, PSO through the eGrants web-based system each year funding is desired.
2. 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. This requirement may be met through cash and/or in-kind contributions.
3. CJAC scoring criteria for applications to this program will be provided by PSO.
4. CAPCOG will not prioritize applications to this fund source and instead will just score them and provide comments to PSO.

**F. Violence Against Women Criminal Justice and Training Program (VAWA)**

1. This is a competitive grant that requires the submission of a new application to the Office of the Governor, PSO through the eGrants web-based system each year funding is desired.
2. There is no limit to the number of years of funding, provided funds are available and an application receives qualifying scores from the CJAC
3. Required Match: Grantees, other than Native American tribes and non-profit, non-governmental victim service providers, must provide matching funds of at least thirty percent (30%) of total project expenditures. This requirement may be met through cash and/or in-kind contributions.

**G. Any additional or unique fund sources that PSO determines appropriate**

1. Information for fund sources not listed above will be posted on the CAPCOG website:  
[www.capcog.org/what-we-do/funding-grants/criminal-justice/](http://www.capcog.org/what-we-do/funding-grants/criminal-justice/)

**H. Requirements for the fund sources listed above are subject to change at any time per instruction from the Office of the Governor, PSO. Grant’s applicants will be notified of any fund source changes via email notification and postings on the CAPCOG website:**

[www.capcog.org/what-we-do/funding-grants/criminal-justice/](http://www.capcog.org/what-we-do/funding-grants/criminal-justice/)

**CAPCOG APPLICATION WORKSHOPS, TECHNICAL ASSISTANCE, REVIEW, AND ADDENDUM**

- A. CAPCOG will schedule and hold grant application workshops to review grant application requests for applications developed by the Office of the Governor, PSO. To be considered for participation in CAPCOG's CJAC application review and prioritization process, a representative of the applying organization is required to attend a grant application workshop.
- B. CAPCOG staff will provide current grantees, potential applicants, and others with CAPCOG’s criminal justice priorities, 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, during the grant application workshop or by request.

- C. In addition to the CAPCOG-facilitated grant application workshops, applicants may request grant-related technical assistance before the applicant's submission of the certified application to PSO.
- D. CAPCOG staff will answer questions for both current grantees and new applicants via email consultation as much as is practical, as well as in-person upon request.
- E. The Office of the Governor, PSO staff will provide technical assistance on the operation of the eGrants web-based application.
- F. CAPCOG requires applications to be submitted for review by CAPCOG staff at least one week before the application deadline set by PSO. Applicants must receive confirmation from CAPCOG of a completed review before submitting and certifying an application. During this review CAPCOG will check:
  - a. Identifying Information;
  - b. Target Areas Information; and,
  - c. Other areas of the application identified by PSO or CAPCOG.
- G. To be considered for participation in CAPCOG's CJAC application review and prioritization process, applicants are required to submit a Project Summary Sheet created to help the CJAC during their review and scoring of applications no more than two weeks after the application period closes. The Project Summary Sheet will ask for:
  - a. Data and information to help the CJAC review application that is not included in the application submitted and certified in eGrants; and,
- H. Applicants must be prepared to discuss reductions to areas of their budget during the CJAC's project review process by either a percent reduction of the total amount or identifying specific items in the budget that can be reduced or deleted.

#### **ATTENDANCE REQUIREMENTS FOR CJAC REVIEW AND PRIORITIZATION MEETINGS**

- A. Attendance at CJAC application review and prioritization meetings is always mandatory for both new and current grant applicants.
  - 1. A representative from each applicant organization shall attend the prioritization meeting.
  - 2. 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.

#### **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 Office of the Governor, PSO. These discipline areas include non-profit organizations, municipalities, counties, citizens or parents, substance abuse prevention, education,

juvenile justice, law enforcement, mental health, prosecution or 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 Office of the Governor, PSO.
- C. To avoid a conflict of interest, members of the CAPCOG's governing body, CJAC members, and CAPCOG staff must abstain from voting, cannot present to the CJAC, and must leave the room\* for the review and scoring of 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 any funds, or a substantial amount of tangible goods or services, from the applicant agency as a result of the grant, if awarded.
- D. At the beginning of each prioritization meeting, the CJAC Chair shall request members to identify any possible conflict of interest when scoring applications.
  - 1. If a member must abstain from reviewing, voting, commenting, presenting, or taking any action on any grant application, the member must also abstain from voting, 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 the score sheet of each application they do not score due to a conflict of interest.

\* In a virtual setting, **leave the room** means a member must exit the meeting platform. CAPCOG staff will communicate with the member about when they can return to the meeting.

## **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 meetings for each of the PSO designated fund sources.
  - 2. An approved application score sheet will be used to evaluate each application submitted for review. This score sheet is the product of a cumulative effort of the Office of the Governor, PSO, and CAPCOG.
    - 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 **must** consider the following factors when scoring and prioritizing applications:
    - a. Any state strategies identified by PSO;

- b. Priorities identified within the region resulting from the strategic planning process;
  - c. Eligibility, reasonableness, and cost-effectiveness of the proposed project; and,
  - d. Current CAPCOG policies and bylaws.
4. The CJAC **may** consider estimated funding levels when scoring and prioritizing applications.
  5. CAPCOG staff will tabulate all applicant scores and create a prioritization list ranking each application from highest to lowest score.
    - a. 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.
    - b. The tabulation of scores for an application is based on the number of members eligible to vote.
    - c. 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.
    - d. Projects will be placed on the priority list in the order of the tiebreaker score.
  6. The proposed prioritization list will be provided to the CJAC for review, comment, and possible changes to the list order.
  7. Post-CJAC review, the proposed prioritization list will be sent out to the applicants.
  8. CAPCOG staff will then submit the proposed prioritization list to the CAPCOG Executive Committee.
- B. Application Recommendations Submitted to the Office of the Governor, PSO 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, PSO.
  2. There is no commitment or obligation on the part of CAPCOG, the 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 Office of the Governor, PSO.

### **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 Office of the Governor, PSO 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 Chair at least 24-hours before the CAPCOG Executive Committee's scheduled meeting where the CJAC priority list of applications recommended for funding consideration will be approved.
    - b. The Appellant must demonstrate that the error caused the application (or a portion of the application) to receive a low score that prevented the application from being recommended to PSO 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 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 CJAC members will receive a copy of the written appeal, notification 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 Office of the Governor, PSO does not have an appeals process for grant applicants. All PSO funding decisions are made at the sole discretion of the Office of the Governor and are final.

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