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# applicants guide 1975

New Jersey  
State Law  
Enforcement  
Planning  
Agency





# State of New Jersey

BRENDAN T. BYRNE  
*Governor*

## STATE LAW ENFORCEMENT PLANNING AGENCY

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(The 1975 Plan for Criminal Justice and this Guide were prepared entirely by the SLEPA staff. It contains procedures for applying for a grant, the action programs which comprise Section C of the 1975 Plan for Criminal Justice, SLEPA forms in use and an appendix which contains valuable references for the administration of funds under the Crime Control Act. This document is published and disseminated under U.S. Department of Justice Grant No. 75-PF-02-0534 in accordance with the ongoing dissemination responsibility assigned to SLEPA by Public Law 93-83, 87 Stat. 197).

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# ORGANIZATION AND FUNCTION OF THE STATE LAW ENFORCEMENT PLANNING AGENCY

The State Law Enforcement Planning Agency (SLEPA) was created by an executive order of the Governor of the State of New Jersey in August of 1968 in compliance with the Omnibus Crime Control Act of 1968. Actual operation of the agency began in early 1969 with the major task being the development of a comprehensive plan for the improvement of the criminal justice system. This planning phase continued through 1970 when the focus of the Agency turned toward the implementation of programs and the increased emphasis on monitoring and evaluating projects.

Organizationally, SLEPA is located in the Governor's Office and is administered by the Executive Director who reports to the Board of Governors. The Board is appointed by the Governor to represent various components of the criminal justice system and the general public.

SLEPA is charged with three main responsibilities: The annual development and updating of the comprehensive plan, the review of applications from

units of government; the fiscal and program monitoring of funded projects. To fulfill these functions, SLEPA is divided into three units, each administered by an Assistant Director.

The Planning Unit has the prime responsibility of collecting data, coordinating the local planning and State planning efforts, disseminating information to the public, and the actual drafting of the comprehensive plan.

Applicants for funds deal with the Operations Unit which provides technical assistance for the development of fundable projects, reviews applications, evaluates ongoing projects for possible refunding, and makes recommendations to the Board of Governors for the final decision on funding.

Once a project has been funded, the Administration Unit prepares the necessary documents for the contract, releases funds after review of reports submitted by a subgrantee, coordinates the fiscal reporting to the State and federal governments, and conducts interviews and final audits.

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## GENERAL INFORMATION FOR APPLICANTS

### I. TYPES OF GRANTS:

#### A. Grants administered directly by SLEPA

**Planning:** Federal funds provide support to local criminal justice planning units. No more than 90% of the total project will be paid for by federal funds.

**Action:** Program areas under which application for action projects may be made are grouped under the following general categories:

1. Legislation—This category includes activities which relate primarily to the legislative process.

2. Planning and Evaluation—This category includes those activities related to the general process of program development and system "overhead".

3. Research and Information Systems—Activities which are basically of a research nature are included in this functional category, as well as those activities relating to general information systems and data collection.

4. Prevention—Included within this category are those efforts aimed at crime prevention used in its broad context, whether undertaken by criminal justice or non-criminal justice agencies.

5. Detection, Deterrence, Apprehension—Included in this category are those activities involving direct law enforcement functions.

6. Diversion—Included here are those activities primarily designed to divert persons from further processing within the criminal justice system following initial contact.

7. Adjudication—All efforts related to the adjudicative process are included within this category.

8. Institutional Rehabilitation—This category includes those programs which operate within an institutional setting.

9. Non-Institutional Rehabilitation—Included are those rehabilitative efforts which take place outside the conventional institutional setting.

#### B. Other LEAA Programs

1. Law Enforcement Education Program (LEEP).

2. Law Enforcement Assistance Administration Discretionary Grants.

3. National Institute for Law Enforcement and Criminal Justice Research Grants.

### II. CRITERIA:

**Planning:** The intent of awarding planning grants in New Jersey is to develop and implement within local units of government a comprehensive planning capability for the entire criminal justice system and

thereby serve as an input to the state comprehensive plan for criminal justice. In addition, the development of comprehensive plans at the local level will facilitate application for action funds by presenting needs, problems, and priorities in a rational manner.

**Action:** The intent of awarding action grants is to meet the needs and problems in the areas concerning law enforcement and the administration of justice encompassing the functional categories of prevention, apprehension, adjudication and rehabilitation.

### III. ELIGIBILITY:

**Planning:** The eligibility for planning grants is based on the State Law Enforcement Planning Agency's determination of local eligibility for each calendar year based on a weighted system of criteria which includes population, crime rate, law enforcement activity intensity, proven planning ability, crime centers within a region, and existing trends in population and crime index.

To qualify for planning funds, an otherwise eligible locality must do the following:

1. The locality must form a Criminal Justice Planning Board.
2. The local unit of government must designate a full time Criminal Justice Planner.
3. The unit of government must designate a project director and fiscal officer.
4. The unit of local government must furnish the Agency with an application for funds in a form approved by the Governing Board.
5. The application itself must fully explain the methodology to be used in achieving the objective of the planning program.
6. Four copies of the application will be prepared by the local unit of government and submitted to SLEPA.

**Action:** Any State agency or local unit of government eligible under the current year programs for action grants may apply for action funds if they meet the following:

1. Within the State comprehensive plan are program approaches aimed at controlling or reducing criminal behavior or improving and upgrading the criminal justice system and its personnel. Only applications for action funds designed to implement and carry out projects which fall within the objectives of these programs will be considered by SLEPA for funding.
2. The implementing agency, if not a State agency or local unit of government, must be represented and supported by a State agency or local unit of government before application for action funds can be submitted. The signature of the state department head, Mayor, or Freeholder Director is required on all applications as an endorsement and evidence of support for the projects.
3. The applicant must provide assurance that the legal matching requirement percentage of the

total project cost will be supplied by the applicant.

### IV. APPLICATION PREPARATION INSTRUCTIONS

The Omnibus Crime Control and Safe Streets Act has been amended to require that State Planning Agencies complete their review process of applications within a 90-day period from the time an application is received. For purposes of this requirement, the 90-day review period will commence only when the application in question is in compliance with LEAA and SLEPA guidelines as set forth in the 1975 *Applicants Guide*.

Prior to the submission of a formal application, it is strongly advised that a letter of intent accompanied by a brief project description be filed with the appropriate desk (police, courts, corrections, prevention) within the SLEPA Operations Unit.

The required application format is outlined on page two of the application (SLEPA 101). Each of the four attachments presented therein must be completed as part of any formal application. Instructions for Attachment Three "Non-Supplanting Certification" and Attachment Four "Negative Environmental Impact Statement" appear within the application itself and should need no further explanation. Attachments One and Two constitute the major components of the application. In an effort to promote a high level of consistency and as an aid in the development of applications by prospective subgrantees, the following instructions and guidelines are offered for the completion of each attachment. While content may vary by type of project, the format which follows must appear within every application.

#### Attachment One: Description of Project

Each of the following sections must be included as part of this attachment:

##### A. Statement of Problem

Define the problem or need as you see it. The following questions may be used as a guide:

1. What specific problem(s) will the project address? (Example: an increasing incidence of breaking and entering, a low clearance rate, and mounting public complaints).
2. What is the *scope* of the problem?
  - a. Geographical
    - Is it concentrated in one neighborhood or several with similar characteristics?
    - Is it a region-wide problem, or does it appear in two or more adjacent towns?
    - Is it a Statewide problem for which you may have a model solution?
  - b. Socio-cultural
    - What population group is affected by this problem or need?

- In what way is this population group involved—as causing the problem, as victim, as responsible for providing a service?

c. Organizational

- Are other agencies affected by the need or problem?
- In what way do such agencies feel the impact of the stated problem?

3. What is the *magnitude* of the problem?

- All available, pertinent statistical data (e.g. arrest rates, agency referrals, caseloads, clearance rates, etc.) should be included. Also, any other indicators that further define the problem should be described.

4. How has the municipality, county or State agency dealt with this problem in the past? What were the limitations in that approach? Describe factors which limited the unit of government's handling of the problem to date.

5. Why must the problem be addressed at this time?

**B. Goals**

When the problem has been identified and the need documented, the particular proposal for attacking the problem(s) should be stated. This is the heart of the application, the content of which enables the reviewer to assess the probability that the measures proposed will produce the desired impact or results. The following framework may serve as a guide with regard to definition of terms and contents:

A **goal** may be defined as a general statement of an undesirable condition to be improved, or a desired state of affairs toward which to stride. Criminal justice goals can fall into broad types.

For example:

1. Crime specific—the reduction of property crime, and
2. System improvement—the provision of alternative diagnostic, treatment, and rehabilitation services for the first time juvenile offenders.

**C. Objectives**

An **objective** is a **specific** statement of a **measurable** end condition to be achieved within a **stated** period of time. Examples:

1. Crime specific—The reduction of breaking and enterings in the 20-block South End neighborhood by 3% over the next 12 months; improvement of the apprehension rate by 2%.
2. System improvement—The diversion of 15 girls, aged 11-18, from institutionalization, by providing a community-based home with supportive diagnostic, treatment and vocational services.

**D. Project Activities**

Having specified the Goals and Objectives, state the method of approach or Project Activities you propose to use. For example, having identified the problem of breaking and enterings, the causes might

have been defined as a combination of poor patrol methods, slow response time, lack of coordination between patrol and detective divisions, and public apathy. The approach might be Team Policing (i.e., a multi-expertise group of patrol, investigative and community relations officers assigned to the problem neighborhood, fully responsible for all operations during the project period).

On the basis of progress to date (past progress, for prior funded or ongoing projects, preliminary arrangements for new projects), this section should address key project elements, such as: (1) sequence and time schedule involved, (2) resources required (i.e., staff, training, support services, public relations, etc.) and (3) the expected outcome or impact from the project in terms of explicit needs, goals and objectives.

Examples of the type of information sought would include but not be limited to the following:

1. A project schedule detailing what will be accomplished at each phase, including the division of labor and the estimated time intervals involved;
2. A description of criteria to be used in deciding when to advance from phase to phase;
3. A description of equipment to be purchased as a part of the project, including its proposed use and the manner in which it will enhance project capabilities;
4. A description of any special or technical assistance from outside the applicant agency which will be required to complete the actual work, including the manner in which this assistance is to be utilized;
5. An outline of available resources;
6. A description of the specific gains, benefits, improvements, increased efficiencies, changes or other planned impact on the existing problem area or operating system that are expected to occur as a direct result of the project (i.e., workloads to be handled, persons to be treated, type of clientele to be served, new services to be provided, new systems capabilities to be established).

While not a requirement, applicants may wish to consider the development of a detailed Work Plan. The purpose of a Work Plan is to help applicants pre-plan realistically by breaking down major elements and phases identified as Project Activities into more detailed steps or "milestones" within a specific time frame. Experience has shown that it is careful attention (or lack of it) to just such detailed operational procedures that has been a major factor in determining the smooth implementation or ongoing difficulties of a funded project. The Work Plan is designed to elicit the applicant's knowledge of local conditions and implementing agency procedures that might affect project implementation, particularly in the crucial start-up phase. Additionally, the Work Plan provides the applicant and the funding agency with a realistic basis for project monitoring and required progress reporting once the project is funded.

## **E. Project Management**

Describe the proposed duties and responsibilities of the Project Director (if appropriate). Indicate to whom the Director reports and the manner in which project accountability will be maintained.

## **F. Personnel**

If the project requires the employment of full or part-time personnel, indicate the positions to be filled and the duties or responsibilities of each. If training is involved, indicate the number of persons (by position) to be trained.

## **G. Brief Personnel Biographies or Job Specifications**

Include a detailed resume or biography for each person selected to work on the project. If personnel are not selected at time of submission, describe position qualifications.

## **H. Participating Agencies**

List all State or local jurisdictions, agencies or organizations directly participating in the project. Describe the responsibilities of each and include letters of intent.

## **I. Project Evaluation**

Presented within this section should be an overview of the methodology to be used by the applicant in answering the following questions: Did the project accomplish what it said it would? What impact, expected or unexpected, did it have? What were the key factors that made the project a success or failure?

Some of the elements of the evaluation design which should be addressed in the application are as follows:

1. Definition of program objectives—Evaluation designs should contain an explicit restatement of the end(s) for which the project is designed (e.g., to reduce the flow of heroin traffic).

2. Statement of assumptions—Every program makes assumptions as to the nature of the problem it addresses (e.g., heroin is distributed by an organized network of individuals). These assumptions have significance for the mode in which the problem will be addressed.

3. Construction of indicators or measures—Establish criteria that will demonstrate the achievement or failure to achieve stated goals and objectives (e.g., an increase in the price of heroin indicates a tightened market due to enforcement).

4. Record and data collection—In view of the listed indicators, what records must be kept, for what period and by whom?

5. Description of methodology—How will indicators describe success or failure? What measures could be used to control for the effects of extraneous factors? What effects, aside from those intended, might the project have?

In some areas, SLEPA may undertake the evaluation of particular projects in cooperation with the subgrantee.

## **J. Alternative Methods**

List any alternative methods that could be used for solving the problem and the reason(s) for selecting the method proposed in this application.

## **K. Assumption of Costs**

If the project will last more than one year, describe how the applicant agency plans to eventually assume the total costs of the program (after a limited period of SLEPA assistance).

## **L. Civil Rights Compliance**

If an Affirmative Action Plan is not complete or it is not required for the jurisdiction, provide the explanation in this section.

## **Attachment Two: Budget Detail/ Budget Explanation**

Estimated cost details of the project's budget should be itemized on Attachment Two. Additional pages should be used to provide narrative justification for all budget items. Costs should be broken down as indicated within the column headings appearing on Attachment Two. All projects funded with Fiscal Year 1975 LEAA funds will adhere to the following matching formula: 90% federal funds and 10% cash match. Note that particular items of cost may appear as 100% federal, while others may be funded with a combination of federal, State and/or local money.

### **CASH MATCH:**

1973 amendments to the Act included two important fiscal conditions affecting subgrantee matching funds. These amendments became effective with FY 1974 funds and have been extended to the FY 1975 block grant appropriation, as well.

The first of these is the "hard match" provision, contained in Section 301(c) of the Act, which states:

*"The non-federal funding of the cost of any program or project . . . shall be of money appropriated in the aggregate, by State or individual units of government for the purpose of the shared funding of such programs or projects."*

In essence, all requests for funds under the FY 1975 block grant appropriation must include cash as the required matching share. In-kind goods and services are not acceptable as a matching contribution.

In order to meet the "hard match" requirement, funds must be for the express purpose of matching federal LEAA funds. These new funds for law

enforcement purposes must be specifically earmarked for the project in the budget of the jurisdiction being funded. Private or Model Cities fund sources may be used as hard cash match. Identification requires an earmarking in some document associated with the appropriation or budget process, which by local government law or practice binds local units to use the funds for the purposes of the Act. This cash must be supplied during the life of the project which may carry over into a new fiscal year.

The simplest way to follow this change is through a sample project funding. If the total project cost (non-construction project) is \$100,000, the following breakdown would be made:

\$ 90,000	LEAA funds	( 90%)
\$ 10,000	Cash match	( 10%)
\$100,000	Total project cost	100%

The second fiscal amendment is the State "buy-in" provision, Section 303 (2) of the Act, which states:

*"With respect to such programs or projects the State will provide in the aggregate no less than one-half of the non-Federal funding."*

The New Jersey Legislature has appropriated sufficient funds in the budget to cover the "buy-in" provision. It is important to note that municipalities and counties benefit from the "buy-in" provision, since the State funds are used to meet part of the hard cash match requirement. Using the same example above, a non-construction project to a local unit of government would be as follows:

\$ 90,000	LEAA funds	( 90%)
5,000	State Buy-In	( 5%)
5,000	Local Cash	( 5%)
\$100,000	Total project cost	100%

Note that the cash match requirement of 10% of the total project cost is met in part through the State buy-in (5% of the total project cost or one-half of the matching share) leaving only 5% to be provided through local cash appropriation.

Local applicants should refer to Section XII of this Guide for instructions issued by the N.J. Department of Community Affairs, Division of Local Government Services, outlining the proper procedures for budgeting and accounting for hard cash match monies.

## ALLOWABLE COSTS

The allowability of charges made to funds granted under the Act shall be determined in accordance with the general principles of allowability and standards for selected cost items set forth in General Services Administration Federal Management Circular FMC 74-4 entitled "Principles for Determining Costs Applicable to Grants and Contracts with State and Local Government;" Federal Management Circular FMC 74-7 entitled "Uniform Administrative Requirements for Grants In-Aid to State and Local Governments;" and the LEAA Financial Guide. (FMC 74-4 and FMC 74-7 appear in the Appendix).

Costs allowable only with specific prior approval of LEAA include:

1. Automatic Data Processing—Prior approval is required only for the acquisition of equipment, whether by outright purchase, rental purchase agreement or other method of purchase.
2. Professional (including contract and consultant) services—Prior approval is required where costs for arrangements with individuals will exceed \$135 per day.
3. Confidential Expenditures—Prior approval is required. Confidential expenditures include payment to informants, purchase of materials as evidence (such as narcotics), or other uses as may be required by law enforcement personnel working in an undercover capacity.
4. Medical Research—Prior approval is required for any medical research not specifically documented in the *New Jersey Plan for Criminal Justice*.
5. Foreign Travel—Any travel outside of the United States and its territories and possessions or Canada must receive specific prior approval.
6. Sole Source Procurement—On all sole source procurements over \$2,500, a justification for the use of this method must be contained within the application. When the amount involved exceeds \$5,000 prior approval from LEAA is required.

## UNALLOWABLE COSTS

1. Personnel Costs—Expenditure of more than one-third of the costs of any action grant for compensation of regular criminal justice personnel (police, prosecutors, public defenders, judges, probation officers, and all correctional personnel.) The costs of consultants and/or private or educational institution contractors providing services to a subgrantee are excluded. Also, this limitation does not apply to Part B Planning grants.
2. Land Acquisition—Federal funds granted for renting, leasing, or constructing facilities may not include land acquisition. Land acquisition, if necessary, should be included within the subgrantee matching share.
3. Compensation of Federal Employees—Salary payments, consulting fees, and travel costs (including subsistence and lodging) of full-time federal employees are unallowable.
4. Bonuses or Commissions—Payment to any individual for the purpose of obtaining approval of an application for federal assistance is unallowable.

All allowable items of cost will be reviewed by SLEPA to determine acceptability. Costs generally allowable, may be rejected if in SLEPA's determination such costs are deemed excessive or not integral to the success of the project for which said costs are requested.

## BUDGET CATEGORIES

Budget categories appearing on the application form are listed and explained below. Note that applicants should use only whole dollars when itemizing costs.

### A. Salaries and Wages.

List each position that will be involved, indicating the percent of time and annual salary of each. Employee benefits, such as retirement, FICA, health insurance and vacation should be shown separately.

The project staff should be divided into two categories. The first group would include all regular criminal justice personnel. The total cost of compensating this group out of federal (SLEPA) funds may not exceed one-third of the total SLEPA grant. (This requirement may be waived by SLEPA on a case-by-case basis).

The second group would include all other personnel costs "whose primary responsibility is to provide assistance, maintenance or auxiliary services or administrative support to the regular operational components". There is no limitation placed on the proportion of these salary costs.

To illustrate this requirement: Salaries for police and other regular law enforcement and criminal justice personnel on a project for which an applicant requests \$60,000 of SLEPA funds may not exceed \$20,000 (1/3 of \$60,000). However, salaries for other personnel may be in addition to the \$20,000.

With respect to ongoing SLEPA funded projects, federal funds may be used to provide no more than 50% of any salary increases from one grant period to another. The subgrantee is not required to apply this special matching requirement to new project personnel. To illustrate: a subgrant project conducted in a particular law enforcement agency involves an outlay of \$5,000 from federal funds to increase the compensation of existing project personnel and an outlay of \$20,000 for new project personnel. The special matching requirement will be deemed to have been met if subgrantee funds of at least \$5,000 are provided during the project period to increase the compensation of existing project personnel.

It is essential that subgrantees adequately forecast salary requirements (including base salaries and anticipated increments) when submitting applications to SLEPA. All requests for salary increases, not provided within the approved project budget, will be reviewed on a case-by-basis. Approval of such requests will be based upon reasonableness, consistency with local policy and availability of funds within the project budget. In no case will the amount of the original subgrant award be increased.

The 50/50 matching requirement must appear on a line item basis (individual by individual) within the application. For example: A project director is paid a salary of \$10,000 for a grant lasting the full calendar year 1974. If the project is continued during

1975 and his salary is raised to \$12,000, the maximum that may be funded out of the SLEPA share would \$11,000 (\$10,000 base from 1974 plus 50% of the increase of \$2,000).

Planning grants are not subject to this special matching requirement.

Line items appearing within the application under Category A, Salaries and Wages must be paid in accordance with established state or local employment procedures. Under no circumstances will payment of gross wages to project personnel be accepted.

### B. Purchase of Services.

1. Individual Consultants. List by name or type the consultant to be selected, and show the total estimated costs. As a general rule, a maximum of \$135 per day (8-hour day) including fringe benefits may be charged.

SLEPA reserves the right to approve or disapprove consultant services prior to commitment for such services.

2. Contracting or Service Organizations and Associations. With respect to such services, the arrangement should be formal and proper and consistent with the usual practices and procedures governing the subgrantee unit of government in contracting for or otherwise obtaining services of the type required. Selection of contractors should involve securing of competitive bids or proposals from a group of qualified organizations. On all sole source contracts over \$2,500, justification for use of this method must be included in the application.

A detailed cost estimate should be shown in the Budget Explanation, including the scope of services to be performed, professional qualifications, and the basis for calculating fees including the estimated number of man days required, rate travel, overhead, profit charges etc. Prior to obtaining the services of any organization, a copy of the proposed contract must be submitted to the State Law Enforcement Planning Agency for review and approval. The proposed contract will not be reviewed for legal sufficiency, but rather to insure that the scope of services to be provided is consistent with overall project goals and objectives. The proposed contract should be submitted along with the Consultant Report Form (SLEPA 109).

3. Instructional Costs for Training Seminars. Provide details that show the basis for the amount requested.

4. Other costs for professional services i.e., psychological/social services. Show rates and method for calculating budget request.

### C. Travel, Transportation, Subsistence.

Show travel costs by estimating the number of

trips, multiplied by the estimated cost per trip. Where possible, show the proposed destination and purpose of the trip(s). Costs for travel and subsistence should be budgeted in accordance with State regulations, e.g. twelve cents per mile, maximum of \$12.00 per day for three meals, maximum of \$28.00 per day room costs. (Full details should be obtained from the "State of New Jersey Travel Regulations".)

Applicants desiring to use travel rates in excess of the State maximums must submit such requests in writing to SLEPA. Written approval from SLEPA must be received prior to the expenditure of funds for travel costs. Justification must include assurances that travel rates being requested are consistent with rates normally authorized by the applicant unit of government. Copies of any documentation outlining and authorizing local travel rates should be included in the request.

#### **D. Consumable Supplies.**

Estimate the cost of materials directly required by the project, such as office supplies, postage, printing and other expendable materials needed during the course of normal operation of the project.

#### **E. Facilities, Office Space, Utilities, Equipment Rental.**

Estimate the cost of construction, office space rental, furniture or equipment rental, maintenance costs, utilities, telephone, etc. Show the cost per square foot for office space.

Note that rent may not be charged for the use of public buildings, however, actual costs that can be accounted for may be used.

Rental space, including space for file, conference, mail, supply, reproduction, and storage rooms should not exceed 150 square feet per employee. Costs should be consistent with prevailing rates in the area and should not exceed \$7 annually per square foot.

Costs for rearrangements and alteration in excess of \$1,500 must be justified in the application to show that:

1. The building involved is in reasonably good condition with a life expectancy of five or more years,

#### **F. Equipment.**

SLEPA may approve the purchase of equipment deemed appropriate and essential to the successful operation of projects under the State Plan. Requests for equipment should contain adequate cost specifications, including equipment type, quantity and estimated cost.

In preparing requests for acquisition of equipment, the following general cost allowability principles should be kept in mind:

1. Federal Management Circular FMC 74-4 prohibits

the purchase of automatic data processing equipment without specific approval by the grantor agency (LEAA).

2. Equipment should be requested only after determination by responsible officials that no other identical or similar equipment owned by the applicant is available for project use.
3. SLEPA funds will not be authorized to provide reimbursement for the purchase price of equipment already owned by the applicant.
4. If equipment purchased is used commonly for two or more Federal grant programs or for a Federal grant program and a non-federally supported State or local government activity, appropriate proration of cost to each activity involved must be effected.
5. All equipment specifications, requests for proposals, and bid awards will be made no later than ninety (90) days after the release of initial grant funds. Failure to do so may result in termination of the grant award.
6. All contracts shall contain a performance clause fixing a specific date for work completion.

A detailed explanation of equipment utilization should be included in the application. If training in the use of equipment is necessary a schedule of training, including length of training, trainees and instructors should be presented.

Applicants should become familiar with Federal Management Circular FMC 74-7, Appendix N, Property Management Standards. This guideline outlines subgrantee responsibilities in developing and maintaining adequate property records, internal control systems and periodic physical inventory checks.

Further specific guidelines governing equipment purchases may be issued by the various desks within the Operations Unit. Applicants for radio communications equipment should follow the requirements outlined in Section XIV of this Guide.

#### **G. Indirect Costs.**

These costs are limited to the applicant's match and are not chargeable to the SLEPA share. Refer to item "I", part 1 in Section B for a more complete discussion of limitations.

#### **Application Authorization.**

The final page of the application requires the signature of the applicant unit of government's chief executive officer (mayor, freeholder-director, State department head). Signature indicates that the information provided within the application is accurate and complete and that the applicant intends to comply with all conditions applicable to grants awarded pursuant to the Crime Control Act. Additionally, applicants should complete the information requested insuring compliance with federal guidelines for Civil Rights Compliance and A-95 Clearing-

house Review. An explanation of each guideline is offered below.

**CIVIL RIGHTS COMPLIANCE.**

Applicants are required to comply with the Equal Employment Opportunity Guidelines issued by LEAA and appearing in the Federal Register, 28 C.F.R. 42.301 et seq., Subpart E (complete text reprinted in Appendix). These guidelines provide recognition of the fact that "full and equal participation of women and minority individuals in employment opportunities in the criminal justice system is a necessary component of the Safe Street Act's program to reduce crime and delinquency in the United States."

In accordance with LEAA guidelines, development of an Equal Employment Opportunity Program is required of all applicants meeting the following criteria:

Each recipient of LEAA assistance within the criminal justice system (project implementing agency not overall unit of government) which has 50 or more employees and which has received subgrants of \$25,000 or more since enactment of the Safe Streets Act in 1968 and which has a service population with a minority representation of three percent or more.

Where a recipient has 50 or more employees, and has received subgrants of \$25,000 or more, and has a service population of less than three percent, such recipient must develop an equal employment opportunity program relating to employment practices effecting women.

For purpose of these guidelines, the relevant service population is determined as follows:

- 1. For adult and juvenile correctional institutions, facilities and programs (including probation and parole programs), the "service population" shall be the inmate or client population served by the institution, facility, or program during the preceding fiscal year.
- 2. For all other recipient agencies (e.g., police and courts), the "service population" shall be the State population for state agencies, the county population for county agencies, and the municipal population for municipal agencies.

Applicants affected by these guidelines will be required to formulate, implement and maintain a written Equal Employment Opportunity Program (Affirmative Action Plan) relating to employment practices affecting minority persons and women. "Minority persons" shall include persons who are Negro, Oriental, American-Indian, or Spanish-surnamed Americans. "Spanish-surnamed Americans" means those of Latin American, Cuban, Mexican, Puerto Rican or Spanish origin.

Equal Employment Opportunity Programs should include as a minimum:

- 1. An evaluation of the following factors cross classified by race, ethnicity and sex:
  - a. Analysis of present representation of women and minority persons in all job categories;

- b. Analysis of all recruitment and employment selection procedures;
  - c. Analysis of seniority, promotion and transfer procedures;
  - d. Analysis of external factors such as available housing and transportation which may inhibit minority employment.
2. A written Program which includes:
- a. A job classification table indicating numbers of employees, numbers of employees in each classification cross classified by race, ethnicity and sex including rates of pay;
  - b. Disciplinary actions by race, ethnicity and sex, including sanctions imposed;
  - c. Number of entrance applicants by race, ethnicity and sex and resulting new hires by race, ethnicity and sex;
  - d. Number of transfer or promotion applicants by race, ethnicity and sex and number promoted or transferred by race, ethnicity and sex;
  - e. Number of employees terminated by race, ethnicity and sex and identification of voluntary or involuntary terminations;
  - f. Available labor market characteristics;
  - g. Detailed narrative of existing employment policies, including:
    - (1) Necessary steps needed to be taken to assure full and equal employment opportunity.
    - (2) Recruitment program, if necessary.
  - h. Plan for dissemination of EEO program;
  - i. Designation of personnel for implementation and maintenance of the program.

Affected applicants must file a certificate with SLEPA indicating the existence of such an EEO program. The written EEO program need not be filed with SLEPA but must be made available for subsequent review and audit. The certification format is shown below.

**CERTIFICATION OF EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

I, \_\_\_\_\_ (Mayor, Freeholder-Director, State Department Head) certify that the \_\_\_\_\_ (criminal justice agency) has formulated an equal employment opportunity program in accordance with 28 CFR 42.301, et seq., subpart E, and that it is on file in the office of \_\_\_\_\_ (name), \_\_\_\_\_ (address), \_\_\_\_\_ (title), for review or audit by officials of the cognizant state planning agency or the Law Enforcement Assistance Administration, as required by relevant laws and regulations.

\_\_\_\_\_  
(signed)  
\_\_\_\_\_  
(Title)

## A-95 CLEARINGHOUSE REVIEW.

In accordance with the provisions of the Intergovernmental Cooperation Act of 1968, applicants will be required to comply with the Project Notification and Review System as outlined in Office of Management and Budget Circular A-95. Prospective applicants for SLEPA funds will be required to file a notification of intent to apply for federal assistance with the New Jersey State Clearinghouse and the appropriate metropolitan or non-metropolitan clearinghouse.

Executive Order No. 35 issued by Governor Cahill creates the following clearinghouse system:

- A. *State Clearinghouse:* Division of State and Regional Planning of the Department of Community Affairs, P.O. Box 2768, Trenton, N.J. 08625
- B. *Metropolitan Clearinghouses:*
  1. Tri-State Regional Planning Commission, 100 Church Street, New York 10007—Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset and Union Counties.
  2. Delaware Valley Regional Planning Commission, 1819 John F. Kennedy Blvd., Penn Towers Building, Philadelphia, Pennsylvania 19103—Burlington, Camden, Gloucester and Mercer Counties.
  3. Wilmington Metropolitan Area Planning Coordinating Council, 2062 New Castle Avenue, New Castle, Delaware 19720—Salem County.
  4. Atlantic County Planning Board, 25 Dolphin Avenue, Northfield, New Jersey 08225—Atlantic County.
  5. Cumberland County Planning Board, 800 Commerce Street, Bridgeton, New Jersey 08302—Cumberland County.
- C. *Non-Metropolitan Clearinghouses:*
  1. Cape May County Planning Board, County Court House, Cape May Court House, New Jersey 08210—Cape May County.
  2. Hunterdon County Planning Board, Flemington, New Jersey 08822—Hunterdon County.
  3. Ocean County Planning Board, 119 Hooper Avenue, Toms River, New Jersey 08753—Ocean County.
  4. Sussex County Planning Board, Administration Building, 39 High Street, Newton, New Jersey 07860—Sussex County.
  5. Warren County Planning Board, Oxford and Hardwick Streets, Belvidere, New Jersey 07823—Warren County.

The responsibilities of these clearinghouses are:

- a. to receive from prospective applicants within their jurisdiction all notices of intent to apply for federal aid under programs covered by OMB Circular A-95;
- b. to determine the State, regional or local

interests in the project in light of the comprehensive development plans and policies of the agencies represented by the clearinghouse;

- c. to arrange conferences between the applicant and the appropriate agencies to identify and resolve conflicts pursuant to the application;

- d. to prepare evaluative comments to be submitted with the final applications; and

- e. to issue letters of clearance attesting that the applicant has complied with the provisions of the A-95 Project Notification and Review System.

State, metropolitan and non-metropolitan clearinghouses may have a period of thirty days after receipt of the project notification in which to distribute the notification to their respective reviewing agencies. Within this thirty-day period, the clearinghouses will solicit the comments of the reviewing agencies. Based on these comments, they will notify the applicant that (a) the project does not apparently conflict with the development programs and policies of the agencies within the clearinghouse's jurisdiction, in which case the applicant may complete and submit the application directly to SLEPA; or (b) issues or conflicts have arisen pursuant to the application which will require additional review and discussion.

In cases where conflicts arise, the application will enter an indeterminate period, during which time the clearinghouse will attempt to resolve the conflict, either through informal meetings with the applicant or through formal conferences. If the conflicts cannot be resolved through discussions during the indeterminate period, a clearinghouse may exercise its option to review the applicant's formal application for thirty days. During this final review period, the clearinghouse will prepare formal comments to be returned to the applicant for submission with the application to SLEPA.

Applicants should use the final page of the SLEPA application form entitled "Application Authorization" to indicate full compliance with the A-95 review process. A copy of the cover letter forwarded to the appropriate clearinghouse(s) as notification of intent to apply to SLEPA for assistance should be included as part of the application.

SLEPA staff will give due consideration to all clearinghouse comments submitted with applications. Also, SLEPA will notify the appropriate clearinghouse of substantive action—approvals, amendments, rejections—taken on applications. These notifications of action taken will be channeled through the Central Receiving House (New Jersey Bureau of the Budget).

## V. STAFF SCREENING:

- A. Funding decisions for all grants will be made solely on the basis of the formal application submission prepared on the official agency forms (SLEPA 101).

B. A formal application consists of the following:

1. Four copies of the application (SLEPA 101), all with original signatures presented in the proper format and including Attachments One through Four and the Application Authorization page.
2. Two certified copies of a resolution of the local governing body (illustrated on SLEPA 102), duly signed and sealed, approving the applicant's participation with the State of New Jersey in the SLEPA programs.
3. In the case of State agencies, all applications must be reviewed by the Bureau of the Budget as outlined in Budget Circular 74-5. Applications will be handstamped by the Budget Bureau as evidence that this review has been completed. Budget Circular 74-5 is reprinted as Section XI of this Guide.

C. The Omnibus Crime Control and Safe Streets Act has been amended to require that State Planning Agencies complete their review process of applications within a 90-day period from the time an application is received. For purposes of this requirement, the 90-day review period will commence only when the application in question is in compliance with LEAA and SLEPA guidelines as set forth in the *1975 Applicants Guide*.

Any submission that does not comply with LEAA and SLEPA application requirements as set forth in this Applicants Guide will not be accepted as an application for purposes of the 90-day review requirement. An application filed in compliance with these guidelines will be acted upon within 90 days.

D. Every application received will be dated and logged into the incoming mail book. Action grant applications will then be referred to the Operations Unit of SLEPA; Planning Grant Applications to the Planning Unit.

E. The project controller assigns each application a project number and this number is logged in the project control log. Two copies of the application are filed in the Administration file, and two copies are referred to the Assistant Director.

F. The Assistant Director completes a preliminary screening process, and if the application is not within the purview of the comprehensive plan, the applicant is so advised in a letter of acknowledgement. Any deficiencies are itemized and the application is assigned to a unit staff member to follow through with the applicant until the application is technically correct.

G. A technically correct application is then forwarded to the Application Review Committee composed of the Executive Director, the Assistant Director-Planning, the Assistant Director-Operations, and the Assistant Director-Administration. The Committee meets for the final review of the application to determine the staff recommendations to the SLEPA Governing Board.

H. Staff recommendations will be based upon the relative merits of applications, within any one program category, in contributing to the goal under which submitted, and with due regard for a distribution of funds that will assist those jurisdictions with the most serious crime problems.

#### **VI. APPLICATION REVIEW AND AWARD:**

A. Applications for projects specifically outlined in the 1975 Plan will be reviewed and acted upon by the Application Review Committee, and will not require Governing Board approval.

B. The Governing Board will review all other action grant applications which have been recommended for funding.

C. The Board will approve action grants at a regularly scheduled meeting based on the following criteria:

1. Conformity to the purposes of the Act and its regulations and guidelines, i.e. LEAA Financial Guide, federal circulars contained in Appendix of this document, etc.
2. Compliance and coordination with New Jersey's current comprehensive law enforcement plan.
3. The estimated impact on the support of the State's priority programs.
4. The degree of probable constructive contribution to the improvement of the State of New Jersey's criminal justice system.
5. The likelihood of achieving stated grant objectives.
6. The amount of estimated benefit derived versus the cost incurred as compared to similar projects and to those other action grant applications being considered.
7. The degree of innovation displayed.

D. When a decision is reached, the applicant is so notified by letter. If the decision is favorable, a subgrant award (SLEPA 103) form is executed. The applicant is also sent appropriate forms to request funds. Subgrantees will be required to file periodic narrative reports (SLEPA 106) and fiscal statements per instruction on Form 107.

#### **VII. APPEAL PROCEDURES:**

Upon receipt of notification of denial, the applicant has twenty (20) days after receipt to request in writing that an appeal be held on the denial. SLEPA Form 104 (Notice of Appeal) is forwarded to the applicant for the signature of the Mayor, Freeholder Director or State department head.

The Board Chairman of SLEPA or any authorized officer thereof, will convene the Governing Board to hold a hearing at the next regularly scheduled Board meeting providing at least thirty (30) days have elapsed after the SLEPA Form 104 has been returned to the SLEPA offices. Such hearings or investigations

will be held at such times and places as designated following appropriate written notice to such applicant or subgrantee.

The hearing shall not be bound by the rules of evidence whether statutory, common law, or adopted by Rules of Court. The Governing Board may in their discretion exclude any evidence if they find that its probative value is substantially outweighed by the risk that its admission will either (1) necessitate undue consumption of time, or (2) create substantial danger or undue prejudice or confusion. In that event, they will accept for filing a written offer or proof which may also argue relevancy to the issue at hand.

The Governing Board will render its decision and so inform the appellant immediately following the hearing. There shall be ten (10) days after the hearing to file written exceptions, objections and replies to the findings of the Governing Board.

The findings of fact and determinations made by the Governing Board of SLEPA shall be final and conclusive, unless the Governor shall, within thirty (30) days of the Governing Board decision, reverse that decision.

#### **VIII. SUSPENSION OR TERMINATION OF GRANT:**

Determination for suspension or termination of funds will initiate with SLEPA and will be based upon the subgrantee's inability to perform in accordance with the conditions of the grant award; upon the unsatisfactory or non-filing of cost statements and/or the unsatisfactory or non-filing of quarterly reports as required under the grant conditions.

SLEPA will notify the subgrantee by letter to the Mayor, Freeholder Director or State department head advising of SLEPA's initial determination and citing the reasons for such termination or suspension of funds. This will be followed immediately by a letter to the subgrantee, with copies to the Project Director and the Financial Officer, detailing the exact discrepancies with regard to the grant award.

Reinstatement of funding may be approved by SLEPA after satisfactory compliance by the subgrantee.

#### **IX. REPORTING PROCEDURES:**

**A. Quarterly Narrative Reports:** Subgrantees are required to submit quarterly narrative reports (SLEPA 106) for the duration of the project period to SLEPA, describing the project activities and progress made during the reporting period. Quarterly narratives are required on a calendar year basis (i.e. January 1-March 31, April 1-June 30, July 1-September 30, and October 1-December 31) for all subgrants.

If a subgrant begins less than one month before termination of a calendar quarter, a narrative report is not due for that quarter. Activities for this shortened period should be accounted for in the subse-

quent quarterly report. (e.g. Contract date is March 2, 1975, quarterly narrative due June 30, 1975, covering all activities from March 2 to June 30).

Two copies of all quarterly narrative reports should be submitted to SLEPA.

**B. Final Narrative Reports:** Upon termination or completion of a subgrant, a final narrative report (SLEPA 106), in addition to the scheduled quarterly report, will be required by SLEPA and will be submitted within 30 days of the termination or completion date of the project. This report should contain a complete description of the project including goals, problems, results, recommendations, and an evaluation of effectiveness. If this information is contained in sufficient detail in the publication normally the result of a planning grant, this may suffice as the final narrative report. Subgrantees should remember that this report will be one of the criteria upon which any application for an action grant, based on or related to the planning grant, will be judged.

Two copies of all final narrative reports should be submitted to SLEPA.

**C. Interim Evaluation Report:** Should a subgrantee wish to reapply for a continuation action grant, an interim evaluation report will be required by SLEPA to be submitted after the third quarter of the project period along with four copies of the new Grant Application. This interim report will replace the third quarter narrative report and will include a complete evaluation, both narrative and fiscal, on the progress of the project up to that point. Upon review of this interim evaluation report and the application, SLEPA will decide on the funding of any continuation action grant for the next project period. This process will alleviate funds from expiring, and will keep the flow and progress of a project continuing from one project period to another.

#### **X. TIMING OF STATE AND/OR LOCAL CONTRIBUTIONS:**

State and local contributions need not be made in exact proportion with and time concurrence of withdrawal and expenditure of federal funds. During the first months of program or project operation, for example, the subgrantee may spend a greater proportion of its matching funds to meet program expenses than may be required by the applicable statutory ratio, or it may spend a larger proportion of federal funds. However, the full subgrantee matching share must be contributed by the end of the period that federal funds are available for obligation or expenditure under a given subgrant and in no event later than the date at which the complete federal award has been expended.

#### **XI. SUBGRANTEE FISCAL RESPONSIBILITY:**

The subgrantee shall be responsible for maintaining a bookkeeping system, records and files to

account for all grant monies spent and all matching funds contributed to the project.

SLEPA is in no way specifying a definite system, but it will expect subgrantees to develop one that conforms to good accounting practices.

SLEPA has members of its staff with fiscal responsibility who will be available to subgrantees to provide technical assistance with respect to fiscal administration of the subgrants.

A. Special consideration should be given to the following general conditions pertaining to the administration of subgrants:

1. Fiscal Control and Fund Accounting. Procedures will be established which assure proper disbursement of, and accounting for grant funds and required non-federal expenditures.
2. Accounting Procedures. Accounting procedures must provide for an accurate and timely recording of receipt of funds by source of expenditures made from such funds, and of unexpended balances. Controls will be established which are adequate to ensure that expenditures charged to subgrant activities are for allowable purposes and that documentation is readily available to verify that such charges are accurate.

3. Retention of Records. Financial records of the grantee and its subgrantees and contractors, including books of original entry, source documents supporting accounting transactions, the general ledger, subsidiary ledgers, personnel and payroll records, cancelled checks, and related documents and records must be retained for a period of at least three years. The retention period starts from the date of the receipt of the final expenditure report.

Records must be retained beyond the three year period if an audit is in progress and/or findings of a completed audit have not been resolved satisfactorily. If an audit is completed and the findings are resolved prior to the three year period, records will be retained until the end of the three year period. If the three year period has passed and no audit has been initiated, the records will be retained in accordance with other State and local law. If State or local law requires a longer period of record retention, access to the records will be allowed for purposes of a federal audit.

If after the three year period no audit has been initiated and State or local law does not require record retention beyond the three year period, subgrantees must receive prior approval from SLEPA before disposing of any grant records.

4. Fund Payment. All payments made to the subgrantee under this grant will be recorded by the subgrantee in accounting records separate from all other fund accounts, including funds derived from other grant awards. Amounts paid

shall be available for expenditure by the subgrantee in accordance with the provisions of the subgrant throughout the project period subject to such conditions as the State Law Enforcement Planning Agency may prescribe.

5. Use of Grant Funds. Funds granted may be used only for the purposes required to carry out the approved project and identified in the approved project budget. Any deviation of \$100 or more within or between budget categories requires prior written approval of SLEPA.
6. Project Income. All interest or other income earned by the grantee with respect to grant funds or as a result of conduct of the grant project (sale or publications, registration fees, service charges on fees, etc.) must be accounted for. Refer to FMC 74-7 in Appendix for a complete discussion of this topic.
7. Obligation of Grant Funds. Grant funds may not, without advance written approval by SLEPA, be obligated prior to the effective date or subsequent to the termination date of the grant period. Obligations outstanding as of the termination date must be liquidated within 90 days. Such obligations must be related to services provided within the grant period or to goods as specified in the approved project budget. Subgrantees will be required to submit additional monthly Detailed Cost Statements during the time period in which obligated funds are being liquidated.
8. Return of Unobligated Funds. Funds that remain unobligated at the end of the fiscal budget period shall be returned to SLEPA within sixty (60) days after the end of such budget period.

B. Consideration should also be given to the following Agency policies concerning budgetary and payment procedures.

1. Grants are awarded for a one-year period or a part thereof.
2. The starting date for the grant period is established by SLEPA at the time of approval of the application.
3. No later than three months prior to the expiration of a grant period the applicant must submit a continuation application to SLEPA for the subsequent year if additional funds are being requested.

C. Cost Allowability—Refer to Federal Management Circular FMC 74-4 in the Appendix.

D. Fiscal Reporting Requirements. The grantee must maintain a generally accepted accounting system which provides, as a minimum:

1. A separate account for the grant project (this means a separate appropriation account for State agencies) with separate accountability of receipts, expenditures, and balances for each Fiscal Budget Period.
2. Itemization of all supporting records of grant

receipts, expenditures and State/local contributions in sufficient detail to show exact nature for each Fiscal Budget Period.

3. Provision of data and information for each expenditure and State/local contributions with proper reference to a supporting voucher or bill properly approved.
4. Maintenance of payroll authorizations and vouchers.
5. Maintenance of a time-reporting system for personnel charged to the grant and also covering State/local contributed services. (If your present system of reporting does not adequately provide for this, obtain copies of SLEPA Form 105 from the Agency.)
6. Maintenance of adequate records supporting charges for fringe benefits.
7. Maintenance of adequate inventory records for equipment bought, rented and contributed.
8. Provisions for payment by check.

## **XII. BUDGETING AND ACCOUNTING REGULATIONS FOR LOCAL UNITS OF GOVERNMENT PARTICIPATING IN THE STATE LAW ENFORCEMENT PLANNING AGENCY PROGRAM.**

The following memorandum issued by the Director, Division of Local Government Services, Department of Community Affairs should be adhered to when budgeting funds received through grant awards from SLEPA.

*After meeting with officials of the State Law Enforcement Planning Agency, the Director of Local Government Services hereby prescribes the following budgeting and accounting regulations for grants allocated to counties and municipalities by the above-named agency.*

1. All State Law Enforcement Planning Agency grants shall be processed through the budget of the local unit at the time of the adoption of the budget or by a budget amendment utilizing N.J.S. 40A:4-87. No such grants shall be accounted for through the "Trust Fund" as a dedication by rider.
2. All such grants shall be designated in the budget as follows:

REVENUE: State Law Enforcement  
Planning Agency Grant—  
Subgrant No.

APPROPRIATION: Unclassified:  
State Law Enforcement  
Planning Agency Grant  
—Subgrant No.

3. The appropriation shall be a separate line item without a designation as to "Salaries and Wages" and "Other Expenses" and shall not be made a part of any existing appropriation.
4. The revenue when anticipated at the time that

*the budget of the local unit is introduced, shall be a "Special Item of Revenue with Prior Written Consent of the Director of Local Government Services."*

5. Commencing with the 1974 budget, all SLEPA grants will require a 5% "hard cash match." This 5% cash requirement of the local unit cannot be taken from any other appropriation but must be "new" money.

*It is hereby recommended to all local units of government considering submission of applications to the State Law Enforcement Planning Agency for a 1974 grant to provide an appropriation entitled, "Matching Funds for Grants" in the 1974 budget under the classification of "Unclassified."*

6. In the event that a local unit has not provided an appropriation and did not consider applying for any SLEPA grant, but now has an opportunity to do so, then the local unit will, by necessity, have to provide for the hard cash match by the adoption of an emergency resolution.
7. When a local unit has provided for the "hard cash match" in the budget and an application is approved by the State Law Enforcement Planning Agency which was not included in the budget, as adopted, the local unit must adopt an amending resolution to include the revenue and offsetting appropriation and also denote that the hard cash match is available. (See attached sample resolution).
8. Since the State Law Enforcement Planning Agency grants in most instances cover a fiscal year other than as provided by statute for New Jersey local units, the Division is allowing the appropriation as budgeted to be set up as a "Reserve" from which commitments and charges can be made beyond the calendar year. The revenue anticipated can be fully realized with any amount not received set up as a receivable and pledged to surplus. However, it is the determination of the Director that the portion of non-cash surplus attributed to the receivable will not be allowed to be anticipated in the following year's budget as surplus with prior written consent of the Director of Local Government Services.

**FORM OF RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL  
ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY  
PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P. L. 1948)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

Section 1

NOW, THEREFORE, BE IT RESOLVED that the *jurisdiction* hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 19\_\_\_\_ in the sum of \$\_\_\_\_\_ which item is now available as a revenue from *State Law Enforcement Planning Agency Subgrant No. \_\_\_\_\_* pursuant to the provisions of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of ..... \$\_\_\_\_\_ be and the same is hereby appropriated under the caption of

**State Law Enforcement Planning Agency Subgrant No.**

(In some cases where there is appropriate provision for the municipality's share of any amounts made available by existing statutes, the following Section 3 must be adopted as a part of the resolution. In some cases where no appropriation for the municipality's share has been provided, the resolution captioned 3a will be required:)

Section 3

BE IT FURTHER RESOLVED that the sum of ..... \$\_\_\_\_\_ representing the amount required for the municipality's share of the aforementioned undertaking appears in the budget of the year 1974 under the caption of *Matching Funds for Grants \_\_\_\_\_*, and is hereby appropriated under the caption of *State Law Enforcement Planning Agency Subgrant No. \_\_\_\_\_*.

Section 3a

BE IT FURTHER RESOLVED that the sum of ..... \$\_\_\_\_\_ be anticipated from the proceeds of an emergency resolution heretofore adopted providing for the municipality's share of the said project or undertaking and the appropriation of the last named sum shall be added to and be supplementary to the appropriation provided in Section 2 hereof.

Adopted this \_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
and certified as a true copy of an original.

\_\_\_\_\_  
Clerk

Approved \_\_\_\_\_, 19\_\_\_\_

DIRECTOR, DIVISION OF LOCAL GOVERNMENT SERVICES

Note: — This form must be filed in duplicate where special items of revenue are made available by any statute or authorization. In cases where Section 3 is used the "caption" on the last line must be the same as the "caption" on the last line of Section 2. 3a will apply where no appropriation is provided for the municipal share and the emergency resolution must accompany this resolution.

**XIII. BUDGETING AND ACCOUNTING  
REGULATIONS FOR STATE AGENCIES  
PARTICIPATING IN THE STATE LAW  
ENFORCEMENT PLANNING AGENCY  
PROGRAM.**

The following memorandum issued by the Director, Bureau of the Budget, should be adhered to when

budgeting funds received through grant awards from SLEPA.

*Effective July 1, 1973, the following procedures shall be followed in accounting for Federal and State funds transferred for Federal Law Enforcement Projects.*

1. *The State Law Enforcement Planning Agency*

(SLEPA) will prepare the Annual Plan in accordance with and at times required by directives issued by the Law Enforcement Assistance Administration (LEAA). The completed Plan along with a Budget Bureau Form BB-4 (Application for Non-State Funds) will be submitted to the SLEPA Governing Board for review and approval.

2. The Plan and Form BB-4 as approved by the Governing Board will be forwarded to the Budget Bureau for review and approval.
3. The Budget Bureau will return a copy of the approved Form BB-4 to SLEPA with an authorization for SLEPA to submit the Plan to the Federal Government for approval.
4. After notice of Plan approval is received from the Federal Government, SLEPA is thereby authorized to administer the Plan, not to exceed the limitations set forth in the approved Plan and Form BB-4.
5. Each Sub-grantee agency shall submit to the Budget Bureau for approval a Grant Application (SLEPA Form #101 with Attachments One and Two) for each sub-grant request. The Budget Bureau will review and forward approved Grant Applications to SLEPA.
6. After review and approval of individual sub-grant requests by SLEPA and its Governing Board, the applicant agency will be notified of such approval by SLEPA.
7. Upon receipt of notification of approval of a sub-grant, the recipient agency shall:
  - (a) Submit to Division of Budget and Accounting, Accounting Bureau, a written request to establish two separate accounts for each sub-grant which involves both Federal and State funds. If only Federal funds are involved, one account will be requested for each sub-grant. The account structure shall be as follows:

	Program Agencies	Non-Program Agencies
For Federal Funds	XXXXX-XXX-2XX-0XX or XXXXX-XXX-2XX-5XX	XXX-2XX-0XX or XXX-2XX-5XX
For State Funds	XXXXX-XXX-1XX-0XX or XXXXX-XXX-1XX-5XX	XXX-1XX-0XX or XXX-1XX-5XX

- (b) Upon receipt of account number(s), transmit the following to SLEPA for the Federal share of the grant: a Request for Transfer of Appropriation, Form AA-5 ("Transfer from" section left blank) and a SLEPA Form #107 (Detailed Cost Statement, Cash Report/Cash Request Form) prepared in accordance with SLEPA instructions.

- (c) If all or a portion of matching funds for the sub-grantee Agency are to be provided from the State funds appropriated in account 190-1XX-000, prepare a Request for Transfer of Appropriation to cover the amount required for either the grant period or fiscal year, whichever is less. The sub-grantee will forward the Request for Transfer of Appropriation (unsigned) to SLEPA.
8. Upon receipt of the Request(s) for Transfer of Appropriation, SLEPA shall:
  - (a) Complete the "Transfer from" section and approve the Request for Transfer of Appropriation involving Federal funds for the grant request.
  - (b) When required, review and approve a Request for Transfer of Appropriation if all or a portion of matching funds for the recipient agency are to be provided from State funds appropriated in account 190-1XX-000.
  - (c) Forward documents covered in (a) and (b) above to the Budget Bureau.
9. The Budget Bureau shall review and process all documents received, obtain necessary approvals and provide approved copies of related documents to the affected organizations—in accordance with established procedures.
10. Each sub-grantee agency, upon receipt of SLEPA Funds, should administer those funds in accordance with Circular Letter #74-4, "Administration of Projects Funded by State and Non-State Fund Sources."
11. Upon receipt of Federal funds, SLEPA will prepare a Transmittal of Income Form and forward it to the Department of the Treasury; thus reducing the account receivable on the appropriation ledger sheets.
12. Unexpended or unencumbered State matching funds at the end of the fiscal year will be transferred back to account 190-1XX-000 by the recipient agency. Any continuation of a project into the new fiscal year will necessitate the re-establishment of funds in the project account as outlined in steps 7 and 8.

**XIV. GUIDELINES FOR APPLICANTS REQUESTING RADIO COMMUNICATIONS EQUIPMENT.**

No application will be considered without a copy of a frequency license on the channel(s) to be utilized.

Certain minimal requirements for any radio communications system have been set by the Police Program Unit. Based upon the operational experience of funded programs these items have proved

exceedingly beneficial to an orderly systemized approach.

#### **A. Citizen Access**

1. The reason that any police department exists is for the purpose of serving the public. Of paramount concern, therefore, is the capability for citizens to contact the police department in time of need. In examining an application the Police Program Staff will be looking for:
  - a. Statistics that verify an adequate citizen input system through those devices utilized by the police department for such purpose including:
    1. Telephone
    2. Voice Call Boxes
    3. New Systems
  - b. Dispatchers and Operators must attend special classes to insure proper training and attitudes to deal effectively with the public.  
Note: If funds are being requested for either a. or b. above, justification must be provided by means of sufficient explanation.

#### **B. Data Capture**

1. Response time must be measured by use of a stamped key tab card. The times required to be kept are as follows:
  - a. Time telephone or desk complaint was taken.
  - b. Time patrol was dispatched.
  - c. Time patrol arrived at scene.
  - d. Time patrol completed/back in service.
  - e. Applicants should coordinate the data capture system with the Uniform Crime Reporting unit of the New Jersey State Police to insure crime reporting compatibility.
2. Information recorded on the card relevant to the incident must be data captured. This will allow for a dispatch analysis system in the following method:
  - a. A software program is developed to allow different configurations of print-outs from the material contained on the key-tab cards. Some of the reports available are as follows:
    1. UCR
    2. Officer Profile
    3. Daily Log
    4. Response Times
  - b. Computer time rental arrangements (where applicable) are made.
  - c. Cards are key-punched on a per/card cost basis.

#### **C. Hardware**

1. Base stations — no duplexing or back-up equipment is allowable
2. Consoles — only that portion associated with the dispatch function will be allowed. Adminis-

trative areas are excluded from funding.

- a. The number of dispatching positions must be supported by verifiable statistics.
  - b. Costs associated with alarms are excluded from funding.
3. Mobile/Portable Radios
    - a. Where possible portable radios will be used in place of mobile radio units. In/out radio systems and mobile units will be considered on a case by case basis. The number of units fundable will not exceed the total amount of vehicles utilized for the PATROL FUNCTION in the department.
  4. Equipment excluded:
    - a. Status maps.
    - b. Internal and external security equipment, i.e.:
      1. Closed circuit television
      2. Electric door
      3. Jail monitoring equipment

#### **D. Recording Equipment**

1. Track (Channel) recorder must be part of the system. Number of channels will be based upon documented need.
2. Instant recall capability must be provided at the dispatch position.
3. Portable relay units are excluded.

#### **E. Equipment Specifications**

1. All equipment specifications, requests for proposals, and bid awards will be made no later than ninety (90) days after the release of initial grant funds. Failure to do so may result in termination of the grant award.
2. All contracts shall contain a performance clause fixing a specific date for work completion.

#### **F. Coordination**

1. Applicants seeking a revision of an existing communications system must coordinate changes with the Office of the Radio Frequency Coordinator prior to submitting formal application.

#### **G. Special Notation**

1. Existing radio systems must remain the property of the requesting municipality until a determination of frequencies allocated to statewide tactical channels are completed.

Requirements are subject to change based upon evaluation of existing systems. Jurisdictions should contact the Police Programs Desk before preparing an application.

# C

# THE ANNUAL ACTION PROGRAM

The annual action programs have changed significantly from those in last year's Plan. Several new programs have been initiated, others combined and several discontinued. In order to clarify the relationship between the 1975 programs and the 1974 Plan, appearing below is a cross reference. It should be noted that no programs have been included in this Plan under Category 1—Legislation or Category 2—Planning and Evaluation. Applicants seeking guidance in the preparation of applications or having specific questions about programs are advised to address their queries to the appropriate operations desk. A list of programs handled by each of the desks is included in the Applicants Guide.

## CROSS REFERENCE OF 1975 PROGRAMS WITH 1974 PLAN

1975 Program Number	1975 Program Title	1974 Program Number (s)	1975 Program Number	1975 Program Title	1974 Program Number (s)
3-1	Statewide Communications and Information System	3-1	5-7	Educational and Professional Development for Criminal Justice Personnel	5-5
3-2	Refinement of the Correctional Information System	3-2	5-8	Coordinated State and County-wide Police Legal Advisory Units	5-6
4-1	Residential Facilities for Juveniles in Need of Supervision and Community Treatment Facilities for Juvenile Delinquents	4-1 & 9-1	5-9	Increased Crime Laboratory Services	5-10
4-2	Community Involvement in Local Juvenile Delinquency Prevention Programs	4-2	5-10	Expanded Specialized Investigation of Organized Crime	5-9
5-1	Increase Police Patrol Effectiveness Through More Efficient Allocations of Police Resources	5-1	6-1	Improvement of Police Services to Juveniles	6-1
5-2	Increase Apprehension and Deterrence Effectiveness Through Reduction of Police Response Time	5-2	6-2	Youth Service Bureaus	6-2
5-3	Establishment of Public Housing Security Units	5-3	6-3	Development of Community Resource Systems for Treatment of Adult Drug and Alcohol Offenders	4-3 & 6-3
5-4	Prevention of Crime Through Improvement of Combined Police-Community Efforts	5-4 & parts of 5-3	7-1	Municipal Court Management and Improvement Program	7-1
5-5	Crime Specific — Rape	New	7-2	Expand and Improve Juvenile and Domestic Relations Court Intake Screening	7-2
5-6	Establishment of Regionalized Narcotic and Organized Crime Investigation Prosecution Units	5-7 & 7-3	7-3	Pre-Trial Service Programs	6-3, 7-5 & 9-2
			7-4	Improvement of Services to the Juvenile Court	7-5
			7-5	Prosecutor's Office Management Improvement	New

1975 Program Number	1975 Program Title	1974 Program Number (s)	1975 Program Number	1975 Program Title	1974 Program Number (s)
7-6	Justice for Victims, Witnesses and Jurors	New	8-2	Improvement of Detention and Shelter Care Practices	8-2
7-7	Development of Judicial Management Information System (JMIS)	7-6	8-3	State Advisory and Training Services for Local Corrections	8-3 & parts of 9-5
7-8	Specialized Training of Court Professionals and Supporting Judiciary Personnel	7-8	8-4	State Corrections Support Program	Part of 9-5
7-9	Statewide Court Activities and Probation Improvement	7-7	8-5	State Correctional Education Programs	8-4 & 8-5
7-10	Support of Public Defender Services	7-9	8-6	State Correctional Treatment of Special Offender Types	8-6
8-1	Local Correctional Institution Rehabilitative System Management and Service Delivery	8-1	9-1	Development of Community Resource Systems to Aid the Adult Offender	9-2
			9-2	State Community Services Facilities and Programs	9-3
			9-3	Improvement of Parole Case Management	9-4

### PROGRAM ASSIGNMENT BY OPERATIONS DESK

Police	Courts & Ancillary Services	Juvenile Justice and Delinquency Prevention	Adult Corrections and Rehabilitation
5-1	3-1	4-1	6-3
5-2	3-2	4-2	7-3
5-3	5-7	6-1	8-1
5-4	7-1	6-2	8-3
5-5	7-5	7-2	8-4
5-6	7-6	7-4	8-5
5-8	7-7	8-2	8-6
5-9	7-8		9-1
5-10	7-9		9-2
	7-10		9-3

# 3. RESEARCH AND INFORMATION SYSTEMS

## Program 3-1: Statewide Communications and Information System

### Objectives:

To provide rapid and accurate responses to requests for information in all areas of the criminal justice system.

To encourage additional usage of the Statewide Communications and Information System.

To expand the number of local terminals from 32 as of June 30, 1974, to at least 50 by June 30, 1975 with priority extended to areas of high crime incidence, high population and to jurisdictions willing to assume ongoing operational costs.

To expand the information files to provide the most current and accurate information possible.

The New Jersey Statewide Communications and Information System (SCIS) uses a computerized system to provide immediate response to police inquiries. Funds previously awarded have provided the structure of a communication network that extends to all portions of the State providing access to the information contained in the SCIS to all local, county and State law enforcement agencies. These funds have also allowed for the development of a computer system that contains information needed by a major portion of law enforcement agencies and is now being expanded to include applications that will furnish information and statistics to court and correctional areas also. The benefit of having more accurate information available in a shorter period of time than formerly possible will be a definite asset to all criminal justice agencies.

### Implementation:

The SCIS concept is highly technical in nature and requires the soliciting and cooperation of numerous municipal and county organizations. The information base and usability is increased as the number of participants increase. From a very small beginning, many additional agencies have become participants as the program progressed, thereby upgrading its capabilities. With the completion of the 1975 grant period, it is projected that all interested eligible agencies will be included, thus completing the final phase of system development.

This program first appeared in the 1970 compre-

hensive Plan. It provided a schematic for development of a criminal justice computer-based information system now known as SCIS. The project was initially assigned to the Division of State Police for implementation. It was anticipated in the 1970 comprehensive Plan that the physical computer site and administrative control would be at State Police Division Headquarters in West Trenton.

Under the control of the State Police, initial systems preparations including computer hardware specifications were generated. Delivery of the system was completed by August, 1971. The overall plan developed at these early stages of the project envisaged a continuum of SCIS activity serving all criminal justice components.

In the 1971 comprehensive Plan, a more detailed explanation was provided showing the methodology to be pursued in development of the system. Two phases were projected. Phase I included development of the central computer complex, installation of four regional terminal sites and construction of the communications means between portions of the State and the central complex.

Phase II involved expansion of the system to include eight additional regional terminals as well as six municipal terminal sites. Mention was also made of microwave as the data transmission vehicle.

In March, 1971, the Division of Systems and Communications was created under the Department of Law and Public Safety and charged with the development of SCIS. Under the new Division, the physical site for the central complex was transferred to the facilities of the Division of Motor Vehicles in Trenton. Microwave as a transmission means was abandoned and voice grade lines were adopted.

Phase I became operational in October, 1972, making available a communications network utilizing regional terminals that could inquire and receive information on wanted persons, stolen vehicles, stolen property, stolen securities, stolen and recovered firearms and stolen boats from both national and State files. The system was also provided with the capability to inquire and receive motor vehicle information utilizing a tie-in into the Division of Motor Vehicle files on driver licenses, registrations and driver records. Message switching,

the capability to store and forward administrative messages and alarms to all enforcement agencies throughout the State, also became operational at this time. During this phase, five regional terminals were established that could query and receive National Crime Information Center (NCIC) information. Motor vehicle information including license and registration look-up and driver record data also became available at that time. Message switching capability was the final portion concluded during Phase I.

The 1972 Plan provided funds for the continuation and expansion of the system and development of Phase II. The second phase expanded the communications network by adding five more regional terminals thereby allowing for better coverage and service to a larger percentage of criminal justice agencies. At this time, all law enforcement agencies in the State were afforded a description of the system and requested to take advantage of the information base.

The 1973 and 1974 Plans specify that \$760,000 and \$900,000 respectively be provided to Phase III of this project. During Phase III, the regional network was expanded and redistributed. Because of the present system usage and anticipated volume increases, this expansion was necessary to afford ready access to the data bank for all system users who did not have terminal access. In addition to expanding the regional network, 32 municipalities acquired their own terminals and the court and correctional areas received benefit of the SCIS through terminal access to the comprehensive data system. All of the terminals in the network have been strategically located so that all municipalities will be in close geographic proximity via telephone lines for inquiries and responses for information.

A statewide communications study was initiated in 1974 to assess the feasibility of radio access to terminals. When this study is completed, it is expected that recommendations contained therein will be used wherever possible to upgrade or make more efficient utilization of the communications portion of this system. Attention will be directed toward upgrading the communications network through a reconfiguration if necessary so as to acquire the best possible methods for transfer of data. It is also anticipated that this reconfiguration will allow for expansion of the network so that all municipalities that meet criteria of size and need can have the capability through a terminal to inquire against this information base.

The 1974 Plan also included the cooperation and coordination of SCIS with Offender Based Trans-

action Statistics/Computerized Criminal History (OBTS/CCH) and the additional expansion of the regional terminals.

Phase III of this project addressed the areas of firearms records control, internal records and forensic science laboratories. Surveys have been made of all of these areas as to their requirements and the difficulty of meeting these requirements. It is anticipated that these programs will be implemented utilizing 1974 Plan funds as well as software developed by Project SEARCH (System for the Electronic Analysis and Retrieval of Criminal Histories.)

Also developed and implemented were computer programs influential and necessary for a total automated criminal justice system. Their influence varied from communications linkage to Master Name Index to operational files and related records. A Master Name Index was implemented thereby allowing for one search and pointing to all files relating to that individual. Fingerprint searching was automated allowing quick search of fingerprint classifications. A Court disposition reporting monitoring system was also implemented.

As of June 30, 1974, this communications network expanded to a total of seven locations utilizing nine regional terminals. These terminals are located in Morristown, Somerville and Newark (with two terminals) in the northern part of the State; West Trenton (with two terminals), Edison and Laurelton in the central part of the State; and Mantua in the southern part of the State. There have also been 32 municipal police agencies that have acquired terminals which connect into SCIS. Other agencies also taking advantage of this system are the Federal Drug Enforcement Agency in Philadelphia, Mercer County Sheriff's Office and the New Jersey Turnpike Authority with terminals located at Moorestown, New Brunswick and Newark. Atlantic City has a computer-to-computer tie-in and the City of Newark is presently testing a computer-to-computer tie-in that is expected to be operational in the near future. Other counties such as Bergen and Middlesex will be addressed for computer-to-computer interface in 1975.

Since the inception of this program and until August, 1974, there were 107,789 active records in SCIS including wanted persons, vehicles, license plates, stolen articles, firearms, securities and boat records. In July, 1974, the SCIS network transactions totaled 121,371, averaging 3,915.2 daily, with hits amounting to an average of 75 per day or two percent of inquiries.

### Subgrant Data:

Funds will be awarded to the Division of Systems and Communications, Department of Law and Public Safety to fulfill the objectives of the program in the most efficient and economical manner. The grant funds will be utilized during the last part of the current fiscal year ending June 30, 1975. All operational costs will be assumed by the State after this period.

### Budget:

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C Block Support	\$500,000	\$55,556	10%

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## Program 3-2: Refinement of the Correctional Information System

### Objectives:

To remove as many correctional management, planning, budgeting, research and policy development issues as possible from the area of speculation and place them on the foundation of hard quantitative data.

To provide research data and statistical update for the anticipated master plan for correctional administration.

### Implementation:

The development of a sophisticated correctional information system to provide critical data to correctional management will continue in Fiscal 1975 since implementation delays in 1974 indicated the desirability of continuing present efforts with carry-over funds.

The correctional information system was originally funded from the 1970 Plan and was provided continuation grants in 1971, 1973 and 1974. Present operational activities include the development, preparation and distribution of a variety of analyses for use in management and policy development. Population reports including a 1982 population projection and reports of admissions, departures and paroles are now being provided.

Offender correctional profiles for inmates who are classified into one of 54 institutional age and racial subgroups have been developed and are among the basic input data for the correctional information

system. These profiles include correctional, personal, educational, employment and treatment histories for each inmate. Also included are offense and age data for inmates presently incarcerated, those newly-admitted and those departing the institution.

Profiles also include statistical descriptions of offender subgroups such as readmission status, length of stay, post-release success in the community, educational potential at admission, use of drugs and area of residence in New Jersey. This capability along with the statewide Offender Based Transaction System (OBTS) will respond to the Law Enforcement Assistance Administration (LEAA) correctional monitoring requirement.

Collection and preparation of additional data as required to research and update the proposed master plan for correctional administration will be provided through 1974 carry-over funds. Project staff is available to respond to specific information demands within the Department of Institutions and Agencies, Division of Correction and Parole. Current activities will result in the correctional information system becoming fully operational.

### Subgrant Data:

The Division of Correction and Parole will utilize the previously allocated 1974 award of \$135,000 in carry-over funds to implement project objectives during 1975.

# 4. PREVENTION

## **Program 4-1: Residential Facilities for Juveniles In Need of Supervision and Community Treatment Facilities for Juvenile Delinquents**

### **Objectives:**

To provide home-like placements for juveniles who cannot be situated in traditional foster home settings and who should not be placed in institutional facilities.

To expand to 18 the total number of community group care homes initiated with State Law Enforcement Planning Agency funds. Program funds for this year will support up to seven homes serving at least 70 juveniles.

To establish treatment facilities within communities to serve as alternatives to institutional placements.

To bring to a total of 13 the number of funded community residential treatment facilities serving from 260 to 325 youngsters.

To upgrade the programs and services within private institutions for juveniles.

### **Implementation:**

This program will continue and expand Agency efforts to provide community-based residential alternatives for juveniles who should remain in the community rather than being sent to private or public institutional residential programs. The planning and implementation for this program is carried out in close cooperation with the Division of Youth and Family Services as well as the county juvenile and domestic relations courts. In order to insure coordinated planning for the range of residential programs needed to serve the different needs in the State, the 1974 program areas involving Community Treatment Facilities for Juvenile Delinquents and Residential Shelter for Juveniles Without Suitable Domicile are being combined in this Plan.

During 1974, group homes were continued in Jersey City, Teaneck and Atlantic, Bergen, Gloucester, Middlesex, Passaic (two), Somerset, Union and Mercer Counties. New group homes were funded in Morris, Essex and Union Counties, with one additional home projected for 1974. The program which had been funded at Archway School in Camden County for the establishment of two group homes was continued in 1974 as a residential

treatment center because of the extensive services which were provided to its residents.

Group homes are designed to maintain a small, home-like setting which provide both short and long-term placements for adolescent juveniles who cannot remain in their natural home. The clients are usually supervised by house parents while social work services are also provided. The youngsters attend local schools and use community services as much as possible. The homes are available to the juvenile court as dispositional alternatives for Juveniles in Need of Supervision (JINS) in cases where the youngster should be kept in the community and needs the support of a family-like setting other than his or her natural home.

Each group home shall meet the guidelines established by the Division of Youth and Family Services. Agency funds will be used for operating costs, but the facility will be provided by the applicant with financial assistance in some cases from the Division of Youth and Family Services.

Community-based residential treatment facilities for either JINS or delinquents will also be funded under this program. These facilities provide alternatives to State correctional facilities or large institutional placement.

In 1974, eight community-based residential treatment centers were funded as follows: three facilities in Essex County, two in Trenton, two in Camden County and one in Bergen County. Three new programs also received 1974 funds.

The community-based residential treatment facilities are larger than group homes, housing up to 25 youngsters. They provide more extensive social and educational services and in most cases there is staff on duty 24 hours. These facilities provide an opportunity to keep juveniles who may not have enough self-control to attend local schools within a supportive community setting. The programs provide substantially more support than the previously described group homes.

In addition to the above, an Agency funded Residential Treatment Planning Project operating in the Division of Youth and Family Services indicates a

need for 1,000 highly therapeutic residential beds for delinquent and severely acting out children. One grant will be made available to the Division to establish a three-person development team to work with already existing private facilities to upgrade their staffs and program to develop these placements.

The program development team will consult with the private facilities administrators on developing effective residential programs. They will design an appropriate program, demonstrate effective techniques for working with children in the program, train current and new staff to work within the program design and evaluate its effectiveness.

This program area will be closely coordinated with the Task Force on the Implementation of the Juvenile Code which is administered through the Office of the Commissioner of the Department of Institutions and Agencies. The Task Force received a \$600,000 LEAA discretionary grant in May, 1974 providing staff and a grant program to assist the State and counties in developing programs providing needed services for JINS. Discretionary funds are being used for improving pre-adjudication JINS shelter facilities administered by counties and for long-term programs to service the needs of this particular target population. The separating of juveniles who are accused of committing status offenses from juveniles who may have committed acts of delinquency can succeed only if sufficient and appropriate services are provided to meet the needs of each group.

### Subgrant Data:

Up to four previously funded group homes will be awarded up to \$15,000 each for continuation funding; up to three new group homes will be awarded initial funding at a range to \$30,000; up to nine residential treatment centers will receive continuation funding; up to two new residential treatment centers will be funded to a maximum of \$75,000 and a one year grant of \$75,000 will be available to the Division of Youth and Family Services to establish a development team to upgrade institutional facilities. Group home applications will be funded to jurisdictions in accord with need for service as justified by the Division of Youth and Family Services. New residential treatment centers will be funded in jurisdictions that evidence the greatest need for service, substantially documented community and public agency support and a potential for assumption of ongoing costs.

### Budget:

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C Block Support	\$970,000	\$107,778	10%

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## Program 4-2: Community Involvement in Local Juvenile Delinquency Prevention Programs

### Objectives:

To establish delinquency prevention projects in the community that involve active participation by interested citizens and community groups and which attempt to improve the system of providing services to delinquent youth.

It is expected that approximately 12 projects will be operational, directly serving in excess of 10,000 juveniles.

### Implementation:

This program area was established to fund innovative concepts for local communities to provide

help, guidance and counseling to their youth in a community setting. The need for viable community programs was underscored by the National Advisory Commission on Criminal Justice Standards and Goals. The programs are usually demonstration-type projects that provide a springboard for the development of new program areas in future Plans. For instance, several projects were funded under Community Involvement in Local Juvenile Delinquency Prevention Programs in the 1972 Plan. They proved to be of such value that two new program areas were established in the 1973 Plan. These were Youth Service Bureaus and Community Treatment Facilities for Juveniles. Alternate school programs, funded on an experimental basis for three years, will

not be considered for funding under this present Plan.

In 1974, eleven municipalities implemented a variety of programs to reduce delinquency. The Newark Mayor's Education Task Force was a response to the disruption of the past several years in the Newark school system. The Task Force examined Newark schools, outlined positive and negative elements and presented viable recommendations to the Newark Board of Education for improving its educational program. In this program area, grants have also been made for three years to Rutgers University Graduate School of Social Work to encourage students to prepare for professional careers in the field of juvenile delinquency prevention. In 1973, a grant was made to "The Bridge" to provide therapeutic, educational and social services to youth in Caldwell, West Caldwell, North Caldwell and Essex Fells. In 1974 "The Bridge" received a continuation grant and expanded its target area to include Roseland. Grants have also been made in this area for three years to the North Camden Youth Opportunity Program which strives to reduce juvenile crime in that area by working with the courts, probation officers and the school system to provide services to first offenders and chronic absentees.

A promising way to prevent delinquency is by establishing programs within the community that offer a measure of support and guidance and also have the active involvement of lay citizens, parents, teachers and community leaders. This conceptual approach is based on the premise that delinquency is closely related to the juvenile's successive and accumulating experiences in the community. Therefore, delinquency prevention must not only involve the school and the parents on a case-by-case basis, but also by necessity must marshal all of the existing community resources.

Current research in delinquency causation calls attention to three basic factors: agency structures created to deal with delinquency generally function only after the individual has become delinquent; many of these agencies are not responsive to neighborhood-level community processes and, therefore, are unable to deal effectively with them; and within these community processes may lie the very important causal factors of delinquency.

This program encourages applications from municipal units of government including suburban areas with identifiable delinquency problems,

combinations of such units, agencies of local government as well as private and public organizations as subgrantees of local government to develop and implement community-based and community-involved delinquency prevention projects. Projects qualifying under this program must be broadly based to include the support of community leaders, parents, teachers and clergy as well as the participation of interested lay citizens and community organizations. The programs should provide not only therapeutic counseling services but should utilize existing community resources to provide recreational and cultural activities. Potential projects must demonstrate that they will become an integrated part of the community's system of providing service to troubled youth and not an isolated agency program which would be discontinued when federal funding is no longer available.

Community leaders in numerous municipalities in New Jersey have become aware of serious problems among their youth. These are manifested in such behavior as the abuse of alcohol and drugs, truancy, police contacts and running away. Innovative projects can be devised which will identify these troubled youngsters, work with their specific problems and prevent their entrance into the criminal justice system. Such projects must demonstrate the support of the schools, the police, the courts and the community. They must describe a specific treatment modality which meets stated goals and objectives and allow for tracking of the development of each juvenile referred to the project.

**Subgrant Data:**

One grant of up to \$50,000 will be available to Rutgers University to continue the Graduate School of Social Work field placement service.

Funds will be available to continue up to eight projects that can document a significant level of accomplishment in relation to the number of clients served and quality of services rendered.

Funds will be available for up to three new projects at a range of from \$25,000 to \$75,000.

**Budget:**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C			
Block Support	\$650,000	\$72,223	10%

# 5. DETECTION, DETERRENCE, APPREHENSION

## Program 5-1: Increase Police Patrol Effectiveness Through More Efficient Allocations of Police Resources

### Objectives:

To provide a measurable reduction in street crimes accompanied by a clearance rate above the state-wide average.

The allocation of police officers based on a continuing analysis of crime occurrence results in the efficient use of resources, which provide police presence when and where needed; rapid response to calls for assistance; increased opportunity for apprehension and conviction; and public confidence in police services.

The tasks involved in improving the efficiency of police patrol allocation include, but are not limited to, examination of the present level of demand for services, prediction of future demand for services, establishment of an allocation criterion, pre-positioning and re-positioning of forces in response to real time need and tactical emergencies.

By carefully analyzing the time and place of expected demands and by reallocating police patrol resources to meet these demands, a measurable reduction of street crime should be realized.

### Implementation:

This program is continued in the 1975 Plan because it is essential to the performance of a sound, efficient police operation. With more efficient allocation of officers, several necessary factors are brought about such as an increased deterrent effect, a quicker response and an enhanced chance of apprehension. A feeling of security on the part of the citizen can be achieved by having police manpower available when and where it is likely to be needed.

This program area was introduced in the 1970 Plan and since its initiation, 43 projects have been undertaken by local police departments. Twelve projects were funded in 1973. Three were in major cities of over 100,000 population, seven were in cities of populations less than 100,000 and two were in counties.

Through August, 1974, five projects were funded, two in major cities of over 100,000, two in cities of

between 40,000 and 50,000 and one grant was awarded to a county.

Projects initiated under this program area have fallen into two general categories: those making use of electronic data processing capabilities and those using field dictating systems. Those grants utilizing field dictating have proven successful, however, such programs in the future should be financed through local resources.

New projects in this program area will be operated in two phases. The first phase will include collection of data (where appropriate this will necessitate consideration of geocoding—location, time and frequency of crime occurrence—and inspectional services demand), study of existing patrol patterns and development of resource allocation models for maximizing coverage in areas of need. The second phase will include the necessary rescheduling and reassignments of both manpower and equipment in accordance with the Plan developed under phase one.

The use of electronic data processing systems will be given priority in any application seeking to develop a resource allocation model for a local police department. In all cases where utilization of computer based systems is anticipated, it is required that contact be established with the State Law Enforcement Planning Agency prior to submission of an application. A number of significant projects initiated by grant funds are available which may provide suitable software programs and/or total system approaches at a considerably reduced cost.

Application goals and objectives must contain a projection of man-hours to be reallocated to field-related activities and anticipated clearance rates stated both in raw numbers and percentages.

Activities under this program may include innovative methods of patrol such as beat policing by police officers who establish residences in the area; team policing; assignment of civilian personnel to non-enforcement functions to release officers to the street; systems which address the police reporting function; and subsequent solutions to decrease the time consumed by the police in this activity. In

1975, it is anticipated that cities which institute projects under this program will significantly increase the resources assigned to the patrol function, resulting in increased clearance rates of index offenses.

**Subgrant Data:**

Two to six subgrants of between \$50,000 and \$100,000 will be available to cities, counties or regions with populations in excess of 100,000; two to four subgrants of between \$25,000 and \$50,000 to cities with populations between 50,000 and 100,000; and the remaining subgrants to any municipality with priority consideration given to cities with populations

between 25,000 and 50,000. The range of the latter subgrants will be between \$10,000 and \$25,000. Special consideration will be given to those cities and counties that regionalize projects or consolidate under a single police department.

**Budget:**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C Block Support	\$450,000	\$50,000	10%

**Program 5-2: Increase Apprehension and Deterrence Effectiveness Through Reduction of Police Response Time**

**Objectives:**

To provide a means for reduction of the total time required for a police officer to reach a reported incident or crime scene as measured either from the time the crime occurs or from the time that a report requesting assistance is received.

To provide a means for citizens to contact the police and for the police to communicate with each other in a more efficient and rapid manner.

To provide professional training for persons responsible for controlling police radio systems.

It is anticipated that this program will contribute to an increase in the number of on-the-scene apprehensions and thus deter potential offenders. Studies and surveys indicate that reduced response time on the part of the police relates directly to a higher crime clearance rate and helps deter crime by making apprehension more certain.

Police apprehend criminals primarily by making "on view" arrests of offenders at the scene of a crime or by interception of the perpetrator after a report of an incident is received. Response time can be reduced by improved methods of communicating reports of crimes from citizens to the police and among police themselves.

**Implementation:**

This program area is a progression of the 1974 category with additional refined communication requirements outlined. In 1975, the creation of a task force to study statewide tactical frequencies for

New Jersey law enforcement agencies and the expansion of the New Jersey Associate Public Safety Communication (APCO) Coordinator are envisioned.

In 1973, a total of 17 projects were initiated under this program utilizing \$825,808. One such project utilizing the in-out radio concept was funded in the City of Camden. This was compatible with a general communications program undertaken by the city and augments the experimental digital communications systems funded in 1972.

In 1974, nine projects were funded under this program utilizing \$432,268. The major thrust of the projects included the in-car/out-of-car police radio concept which insured a constant communications mode. Two projects were multi-jurisdictional in nature.

This program, introduced in 1970, was combined in the 1972 Plan with a program covering the funding of local and regional communications systems. The major emphasis, based upon needs expressed by municipalities applying under this program area, has been placed on communication problems. Regionalization of effort, particularly in the central dispatching approach, has been successfully accomplished in several areas of the State. One such undertaking, begun in early 1971, has served as a model and research source for over 50 police departments, some as distant as California.

Several communication projects in the northeast urban area of the State were funded under the 1970 Plan. In 1971 and 1972, a total of 43 projects received funding under this program area. Four

cities with populations in excess of 100,000 instituted projects for the purpose of reducing response time, among which was a "911" system (Jersey City). Five projects were funded in cities of between 50,000 and 100,000 populations and 34 in municipalities with populations below 50,000. While the majority of efforts dealt with the problem of response time through improvement of communication systems, there were several notable exceptions. These included a project which provided additional juvenile hearing facilities geographically removed from the county seat, thereby requiring less police time spent away from the community. Another project provided for the conversion of unused police and fire call boxes into free public access telephones.

Since adoption of the 1972 Plan, municipalities with a small population base and with specialized problems have been considered for awards. This has been specifically true with several shore communities where the summer population influx creates population increases in excess of 30 fold.

Based upon the previous two years' experience, minimum requirements were set in the 1972 Plan for all communications systems. Included in the requirements was the establishment of a computer aided dispatch analysis system which provides response time and crime index data on print-outs.

This program provides financial support to municipal units of government or combinations of such units for projects designed to improve police radio communications, improve citizen access into the police system and reduce police response time. Example projects include, but are not limited to: adoption of the emergency number "911" for outside telephone booths (no coin necessary); constant police communications via portable "take along" radios in place of mobile units; and development of interjurisdictional communications systems including the establishment and expansion of central dispatch networks.

In 1974, specific minimum requirements based upon extensive research and experience were formulated for radio communications proposals submitted under this program area. In 1975, the minimum requirements have been expanded further to insure each system's requirements contains consideration of the following modules:

1. Citizen access
2. Data capture
3. Hardware systems requirements
4. Recording capability
5. Dispatcher training
6. Frequency coordination
7. Equipment limitations

Present response time can be computed by maintaining a log on calls for service and entering the time that a vehicle is dispatched and its time of arrival at the scene. This minimal process will permit an arithmetical average for evaluation purposes. *ALL APPLICATIONS WILL PROVIDE PRESENT RESPONSE TIME*, the anticipated response time as a result of project activities and the difference stated in minutes and percentages.

*DUE TO APPROPRIATE REGULATIONS, NO APPLICATION WILL BE CONSIDERED UNLESS A COPY OF THE FCC LICENSE AND A FREQUENCY COORDINATION STUDY AS PERFORMED BY APCO OR APPROVED FREQUENCY COORDINATION FORM COORDINATOR IS INCLUDED WITH THE SUBMITTAL.*

In 1975, it is projected that jurisdictions that implement projects under this program will increase their clearance rates for index crimes over the State average and will significantly reduce their response time.

In 1975, it is anticipated that the part-time operation of the APCO Coordinator will be expanded by utilizing a limited amount of funds from this program area and making the service available on a full-time basis. The proposed expansion will include additional communication engineers, clerical support and funds to initiate local dispatcher training and transportation. It is envisioned that the APCO Coordinator will become a resource for governmental agencies attempting to improve radio communications capabilities or study existing communication problems.

Limited funds from this program area will be allocated for the creation of a task force to study problems in the implementation of statewide tactical frequencies for New Jersey law enforcement agencies. Funds will be utilized for clerical support, travel to research existing systems and development of priorities for implementation. It is anticipated that in 1976, funds from this program area will be allocated for the implementation of statewide tactical frequencies as recommended by the task force. Any project which proposes a change in operating radio equipment will be special conditioned to insure the municipality retains the older radios. This will permit future flexibility in the event that a State tactical frequency is developed.

### **Exclusions:**

Any equipment normally considered standard police equipment or any other equipment, the primary purpose of which is not the reduction of police response time to crime scenes, will not be

funded. The State Law Enforcement Planning Agency reserves the right to make individual determinations on requirements and exclusions on a case-by-case basis (refer to Radio Communications Requirements in the 1975 Applicants Guide).

**Subgrant Data:**

During 1975, priority will be given to municipalities attempting consolidation of the police communications function. Up to two grants ranging to a maximum of \$100,000 will be available to combinations of units of government for the purpose of implementing or expanding comprehensive regional radio communications networks.

One grant will be available to a municipality or combination of municipalities with a population of over 100,000 to obtain constant communications via the total portable radio concept. The maximum amount of federal funds available for this project will be \$100,000.

Three grants will be available to municipalities or combinations of municipalities with populations of 75,000 to 100,000 to implement projects aimed at the reduction of response time. The maximum amount of federal funds available for projects in this category will be \$75,000 per grant.

Three grants will be available to a municipality or combination of municipalities with populations of 50,000 to 75,000 to implement a project aimed at the reduction of response time. The maximum amount of federal funds available for each grant will be \$50,000.

Four grants will be available to a municipality or combination of municipalities with populations of 15,000 to 50,000. The maximum amount of federal funds available for each grant will be \$40,000.

**Special Considerations:**

One grant of \$50,000 will be available to the Division of the State Police to expand coordination services and provide technical assistance through the APCO Coordinator. Funds will be utilized for engineers, clerical support, transportation and dispatcher training.

One grant of \$15,000 will be available to the task force for clerical support, travel and to develop priorities in an attempt to provide statewide tactical frequencies for use by all New Jersey law enforcement agencies.

Those communities that experience periodic population influx on a seasonal basis will also receive consideration under this program area. Three resort communities will be eligible for grants not to exceed \$50,000.

**Budget:**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C			
Block Support	\$775,000	\$86,112	10%

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**Program 5-3: Establishment of Public Housing Security Units**

**Objectives:**

**To reduce the occurrence of crime and vandalism within public housing areas below the level for the entire jurisdiction.**

**To increase the opportunity for residents of public housing to live in safe and secure conditions as measured through victimization studies.**

The task of patrolling highly populated public housing projects has presented local police departments who employ conventional methods of mobilized patrol with several problems: 1. The physical nature of most housing projects is not conducive to regular patrol car coverage since high rise complexes and multi-family housing units prohibit the access of automobiles. The innate structure of

housing projects with such hard-to-patrol areas as hallways, elevators and basements prevent observation by passing patrol vehicles. 2. The general public demand for police service affects the amount of patrol time available to public housing residents. 3. Due to manpower shortages, police departments are unable to assign additional foot patrol officers to public housing areas although a number of police departments have been able to increase foot patrols in some areas with the implementation of the State's Safe and Clean Streets Program. 4. The peak hours of activity when police service is requested in the public housing projects coincide with the peak hours of the regular police patrol units, further compounding the problem. 5. Public housing projects contain a proportionately higher percentage of senior citizens

who require increased security efforts.

In response to these problems, a number of alternative methods of patrol have been tried and one that has proven to be successful is the implementation of public housing security units. These units provide public housing residents with their own security force and are responsible for patrolling public housing projects in cooperation with and under the supervision of the local police departments.

### Implementation:

This program originated in the 1970 Plan under a program area which emphasized crime prevention units, street lighting projects and public housing security units. In this Plan, a specific program area has been established for public housing security units.

The initial approach under this program area has remained the same with various unit expansions and modification of established functions. For example:

1. The Trenton Unit originally patrolled the public housing projects during the hours of 5:00 p.m. and 1:00 a.m. which were the peak hours of required service as indicated by reports. The unit is now operating 16 hours a day and their hours are flexible based on an analysis of each particular project's needs.
2. The Orange Unit has placed emphasis on the senior citizen public housing residents who were experiencing some difficulties prior to the unit's presence.
3. The Elizabeth Unit has recently conducted a victimization study in its six public housing projects, and results indicate that the residents are satisfied with the service they are receiving and request the continuation of the unit.
4. A Bureau of Housing Security was formally established within the Jersey City Police Department to administer the housing security combined force of patrol officers and housing guards.

In 1974, a total of \$532,000 was appropriated for the continuation of these four public housing security units which had previously received \$562,658 in 1973 funds. Over 50,000 public housing residents have benefited directly by funded projects.

Each of the public housing security units, although operating with variations in patrol size, shift hours and patrol methods has been able to create an improved feeling of security among public housing residents as evidenced by opinions expressed in recent surveys taken at the particular housing projects.

Projects to be funded or continued in this program area will be for support of housing security units which will be responsible for the policing of public housing projects. Types of patrol, patrol force strength and other pertinent data will be based on the respective unit's specific problems and their eligibility for funds will be based on subgrant data. Crime and vandalism data will be utilized and evaluated in each public housing project, to demonstrate achievement of this program's objective.

All units will be required to conduct victimization studies in their respective public housing areas before and after the unit's implementation. Survey data will be analyzed and utilized in the unit's operation to provide residents with the type of service required to improve conditions and reduce the incidence of crime in public housing projects as well as demonstrate the achievement of the second objective.

### Subgrant Data:

There will be up to five new projects implemented in municipalities with populations of 50,000 or more. The range for each subgrant will be \$75,000 to \$100,000. Priority will be given to high-density, high-crime rate housing projects with crime rates that exceed the norm expected for their population. For example: if five percent of the total population is represented in the particular area, its crime rate should exceed five percent. No funds will be provided for regular police salaries. Priority consideration will be given to the municipalities of Atlantic City, Camden and Plainfield who included this project as a priority for 1975.

The four existing units in Elizabeth, Jersey City, Orange and Trenton will be continued. The range for each subgrant will be \$50,000 to \$75,000 with no funds provided for regular police salaries. *It is anticipated that this will be the last year of assistance for these four projects.*

### Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C Block Support	\$670,000	\$74,445	10%

## **Program 5-4: Prevention of Crime Through the Improvement of Combined Police-Community Efforts**

### **Objectives:**

**To reduce the opportunity to commit crime through measures that provide the public with assistance in safeguarding themselves and their property against crime.**

**To improve police-community relations by providing cooperative police-citizen efforts in neighborhood crime prevention and reduction.**

The task of reducing crime is not the responsibility of law enforcement personnel alone. Crime is the problem of every citizen, and it is incumbent upon all persons to have some knowledge of how to avoid becoming victims of crime.

### **Implementation:**

The activities of two police crime prevention programs established in 1973 demonstrated that a good police crime prevention program is also an effective police-community relations approach. As a result of this finding, 1974 Plan program areas involving crime prevention efforts and community relations units are combined into one comprehensive effort in the 1975 Plan.

The main goal of this program is the reduction of crime through combined citizen and police efforts. Public education will be emphasized utilizing mass media and formal presentations. Block associations will be formed as the community's effort to assist police in reducing crime, especially breaking and entering and larceny, as similar groups have proven very effective. A comprehensive effort by the entire police department and the community is the key to success in this program.

In 1974, a total of \$55,510 was provided for the continuation of two crime prevention units and an additional \$140,000 was awarded for police-community relations programs. In 1973, a total of \$75,521 was provided for the implementation of two crime prevention units. An additional \$165,000 was awarded for police-community relations projects.

Over 10,000 people have taken part in crime prevention programs since 1973. Evaluation of the first crime prevention unit in Plainfield demonstrated a significant decrease of 24% in residential burglaries, a major objective of that particular year. As conditions improved in Plainfield, the opposite was happening in other communities. It became apparent that a more comprehensive approach to crime

prevention was needed. In response, State Law Enforcement Planning Agency staff and crime prevention personnel from Plainfield, Elizabeth, South Plainfield and Trenton met and formed the nucleus of a statewide crime prevention association. The New Jersey Crime Prevention Association was organized in February, 1974, and its membership consisted of crime prevention personnel from over 20 municipalities. The Association's main purpose is to share ideas, expertise, problems and resources in an effort to maximize the crime prevention efforts being implemented throughout the State. Funds will be provided for the establishment of a State crime prevention office to facilitate the Association's objectives.

In reviewing continuation applications for the crime prevention units and the community relations units, it became obvious that the goals and objectives were almost identical. Both units began to suggest the need for increased police service for the senior citizens in their respective communities, including crime prevention and public education projects. As part of this program, emphasis will be placed on crime prevention projects in the senior citizen communities as well as the cultivation of general citizen support as recommended by the National Advisory Commission on Criminal Justice Standards and Goals.

Every unit will consist of at least one full-time civilian employee who will serve as a security specialist advising citizens on how best to secure their property and will work with various civic groups to "harden" both residential and business crime targets.

As stated in the *Task Force Report: Police* of the President's Commission on Law Enforcement and the Administration of Justice, the only alternative to persuasion and public education in the crime prevention field is legislation that compels manufacturers and owners of personal property and real estate to maintain certain basic security standards. It is suggested that each subgrantee review their own municipal security codes and propose the enactment of new security codes. The security ordinances enacted in Oakland, California, Seattle, Washington and Plainfield were cited as example ordinances. An important aspect of a security ordinance is its voluntary acceptance by the community. As to its overall effectiveness in "hardening" crime targets, the security ordinance in

Plainfield has obtained favorable results from the business community.

An additional activity of projects funded under this program will be the analysis of specific crime data and *modus operandi*. In reviewing specific reports for crimes such as breaking and entering, larceny, robbery and car theft, crime prevention personnel should be able to analyze crime patterns to be utilized in manpower deployment.

In order to demonstrate achievement of the first objective, all applicants in this program will be required to establish measurable objectives as they relate to the project. Records to be kept by the subgrantee will include the number of citizens involved in crime prevention programs, i.e., attendance at formal public education presentations, block associations and other related activities. This data will be used to demonstrate achievement of the second objective.

### Subgrant Data:

Up to ten municipalities with populations of 50,000 or more will be eligible for projects. Consideration will be given to combinations of units of government with consolidated units. No police salaries will be provided for with grant funds. The range for each subgrant will be \$10,000 to \$15,000. Priority consideration will be given to Atlantic City, Camden, East Orange, Elizabeth, Jersey City, Irvington, Plainfield, Passaic County, New Brunswick and Trenton as they have listed this program as a priority project in 1975.

Approximately \$25,000 will be made available for a statewide crime prevention effort.

### Budget:

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C Block Support	\$200,000	\$22,223	10%

## Program 5-5: Crime Specific — Rape

Beginning with the 1975 Plan, the State Law Enforcement Planning Agency will review crime trends and local priorities to ascertain what specific crime is of greatest concern. It is anticipated that through this approach, the targeted crime will be reduced and model projects capable of being duplicated in other jurisdictions will be developed. Once a crime is selected for concentrated attention, it may receive recognition for more than one plan year if necessary to achieve the desired impact. The 1975 targeted crime is rape which has been selected based on its priority as established by New Jersey criminal justice personnel.

### Objectives:

To establish within the county prosecutor's office a special sex crime analysis unit to:

1. Investigate sex crimes;
2. Provide immediate medical aid and psychological counseling for victims;
3. Collect and record information on criminals' methods of operation; and
4. Prepare the victim for courtroom testimony to increase conviction rate.

The philosophy behind the establishment of a county-wide sex crime analysis unit is one of providing a highly specialized service to municipalities

that would be impractical to implement at the local level. Local police departments neither have the time nor the resources to conduct investigations at the sophisticated level demanded by the occurrence of such a crime as rape. A county sex crime unit could effectively serve the needs of every municipality in the county regardless of the rate of rape incidents through the establishment of a centralized rape intelligence service. It is also anticipated that victims will be encouraged to report assaults by offering immediate and complete rape victim services. This concept is consistent with past and present subgrants awarded to county-level agencies to provide a centralized service for all municipalities in a county.

### Implementation:

This new program area is designed to concentrate law enforcement and prosecution efforts on crime areas of eminent need. Violent crimes such as rape are increasing substantially in New Jersey and this situation is a national trend with no abatement in sight. In the State of New Jersey, the risk of becoming a rape victim has increased 52% since 1968. Since 1972 alone, reports of forcible rape in New Jersey have increased by 18%. (Forcible rape as indexed by the New Jersey Uniform Crime Reporting System includes rape by force and attempt to rape.

but does not include carnal abuse, statutory rape and other sex offenses.)

In 1972, New Jersey police agencies reported 1,245 forcible rapes (912 rapes by force and 333 attempts), indicating that 28 out of every 100,000 females in New Jersey were victims of this violent crime. However, the reported crimes understate the actual occurrence as recognized by the Uniform Crime Reporting System of the Federal Bureau of Investigation (FBI) and the New Jersey State Police. Both reports state that because of the extremely sensitive nature of rape, it is probably the most under-reported crime in the crime index system.

A conservative estimate on the number of *actual* cases of forcible rape is five actual for every one reported, but, depending on the area of the country, the estimate is as high as 20 *actual* forcible rapes for every one *reported*. Thus, it must be emphasized that the F B I and New Jersey statistics are extremely conservative in that they index only those forcible rape cases which were *reported* to a police agency and established by police investigation. The *actual* rape victimization rate in New Jersey during the year 1972 was anywhere from 140 to 560 per 100,000 females.

Sensitive treatment of rape victims must begin with the recognition that rape is a crime of violence. Thus, the proper focus of this crime is the force with which it is perpetrated, and not the sexuality of the act. More sensitive treatment of rape victims will encourage victim cooperation in the investigation and prosecution of forcible rape.

In New Jersey, forcible rape during 1972 recorded the highest rate (60%) of acquittals or dismissals of any index crime. Of the 398 rape cases which went to trial, only 117 defendants were found guilty of the offense charged, 42 were found guilty of lesser offenses and 289 defendants were acquitted or their cases were dismissed. The failure to prosecute rape cases effectively is attributed in part to the failure of the victim to cooperate or appear at the time of trial and to the lack of sufficient evidence to support the charge.

Both of these factors are to a certain extent within the control of the police investigators. By establishing a relationship of trust and confidence with the victim of rape, the investigating officer encourages the victim's full cooperation. With consideration toward the victim's trauma, the investigator can gain more detailed information about the perpetrator and circumstances of the rape.

This program area is intended to encourage the reporting of sex crimes by establishing a specialized crime specific unit well trained and staffed to meet

the medical and psychological needs of the victim and to increase the number of arrests and convictions of rape assailants.

Counties selected to receive funds under this program area will dedicate a minimum of two full-time personnel including at least one female detective or investigator who must be available to interview victims on a 24-hour basis. Volunteer services should be utilized. Local medical facilities should be coordinated with the prosecutor's office so that emergency treatment and evidence collection will be facilitated.

Efforts of the sex crime analysis unit will be concentrated on but not limited to these functions:

1. Provide specialists to municipal police agencies to assist in the investigation of rape and other sex crimes;
2. Provide immediate and continuous medical and psychological services for the victim;
3. Provide legal counseling to the victim in preparation for court appearance so as to increase conviction rates;
4. Collect and maintain accurate records on known and reported sex crimes to include assailants' methods of operation;
5. Establish an emergency telephone number to be staffed 24 hours a day to enable and encourage rapid reporting of sex offenses;
6. Publicize the existence of the sex crime unit and the services it offers;
7. Educate the public in ways of reducing vulnerability to sexual assault;
8. Train local police in the handling of the initial investigation.

### Subgrant Data:

Three counties will be selected for pilot projects in 1975. Selections will be based upon the prevalence of rape, programmatic concept and timely submittal of a complete application. Applications should include provisions for specialized training for investigative personnel and volunteers by local specialists and police experts. Subgrantees will be advised of training sources.

### Budget:

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C			
Block Support	\$150,000	\$16,667	10%

## **Program 5-6: Establishment of Regionalized Narcotic and Organized Crime Investigation Prosecution Units**

### **Objectives:**

To expand and improve the operations of selected county prosecutors' offices in the investigation and prosecution of organized crime and narcotic and dangerous drug law violations.

To make all such operations compatible with the various State agencies involved in similar investigatory activities.

### **Implementation:**

The 1975 Plan will combine two earlier categories in the narcotics investigation and organized crime prosecution program areas. Due to the similarity of investigatory techniques required for a cohesive enforcement attack on both major suppliers of narcotics and the organized crime element, there is a necessity for a jurisdictional overlapping which should be addressed by one specialized unit.

During previous years, emphasis was placed on a statewide operation maintained by the Division of State Police and units functioning in various large municipal police departments. Experience indicated the value of advancing the major thrust at the State level. However, while efforts in the large municipalities were quite effective, there was a gap in meeting the problems which spread into contiguous communities. Several weaknesses in strictly local enforcement became apparent:

- The failure to retain anonymity of unit members for required undercover operations.
- The loss of cost benefit accruable to maximize utilization of needed sophisticated equipment.
- The inability to have legal assistance when needed.

As a result of these findings, the emphasis of funding was shifted to the regional concept of enforcement.

In 1973, seven projects were initiated or continued with \$480,000 in the narcotic enforcement program and four projects were initiated or continued with \$485,341 for combatting organized crime. During 1974, twelve projects were continued utilizing \$450,000 in the narcotic enforcement program. Four continuation projects and a new project were funded utilizing \$237,021 of funds allocated to organized crime investigation.

Agency-funded organized crime investigation activities have included the development of the strike force concept which has proven to be successful in combatting the organized crime element.

Collectively the five organized crime strike forces have initiated over 1,200 investigations, completed over 1,900 arrests and obtained in excess of 1,000 convictions.

Twelve countywide narcotic units were initiated under the 1972 and 1973 Plans and continued in 1974. The majority of units utilized both investigators from the county prosecutor's staff and officers allocated to the unit by municipal police departments.

The narcotic strike forces have met with varying degrees of success. During 1973, arrests by county strike force personnel ranged from 100 to 400 persons. Due to many cases which have not been adjudicated, conviction rates are unavailable.

In 1975, only projects which are countywide in scope are eligible for funding. The coordinated effort embodied in this program must utilize the prosecutor's legal and investigative staff and the investigative staff of municipal police departments. Projects should be directed by the county prosecutor in conjunction with local police officials and should be compatible with operations of the Division of Criminal Justice and the State Police.

All subgrantees will be required to maintain quantifiable data including but not limited to total number of investigations, total number of arrests, conviction rate and seizures by amount and type. This data will be included in all reports and the evaluation component.

### **Subgrant Data:**

The five major counties that previously received grants for organized crime and/or narcotics task forces, Camden, Essex, Hudson, Union and Mercer Counties, will be eligible to apply for one final continuation grant of up to \$75,000 to support either the organized crime task force or the narcotics task force, or a combination of the two. The application will be solely for support of ongoing operational expenses excluding equipment.

The eight jurisdictions that previously received grants for narcotics task forces, the counties of Cumberland, Cape May, Gloucester, Burlington, Ocean, Bergen and the Wayne area region, will be eligible to apply for one final continuation grant not to exceed the 1974 level of funding for ongoing operational costs excluding equipment. Atlantic County may apply for either a narcotic or organized crime

task force for an amount not to exceed \$50,000.

Two counties not previously funded for either organized crime or narcotic task forces, may apply for up to \$60,000 to establish a project under this program area. Middlesex and Morris counties will be the eligible applicants providing complete applications are received by July 1, 1975.

**Budget:**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C			
Block Support	\$795,000	\$88,334	10%

**Program 5-7: Educational and Professional Development for Criminal Justice Personnel**

**Objectives:**

To continue upgrading the performance of criminal justice personnel through specialized training.

To prepare students for criminal justice careers through specially designed higher education courses of study.

To provide the opportunity for criminal justice agencies to focus training efforts on areas of operation that require current knowledge and highly developed skills.

To continue the final stage of development and implementation of criminal justice baccalaureate programs at State colleges.

**Implementation:**

The 1975 Plan will continue the basic approaches presented in previous years. Under the 1974 Plan, four State colleges—Paterson State, Trenton State, Stockton State and Glassboro State received funds for criminal justice degree programs. The Department of Law and Public Safety sponsored seminars in prosecutor training, homicide, criminal investigations and investigation of financial transactions. A total of 9,162 officers of which 5,729 were municipal officers attended organized crime, narcotics, advanced narcotics and criminal investigation courses made possible with these funds.

This program first appeared in the 1971 Plan and was instrumental in the establishment of degree programs at the above mentioned colleges. During the initial funding period, numerous awards were made so that criminal justice personnel might attend individual seminars. This approach was abandoned in 1972 when it was found that a major cost was attributable to travel and subsistence as opposed to training. In 1973 and 1974, funding was provided for training courses held in the State, attended by personnel from criminal justice agencies and utilizing in-State expertise which resulted in increased attendance.

In 1975, five approaches will be continued. The first approach will provide funds for criminal justice agencies or institutions of higher education to develop and implement in-service professional development programs, seminars, workshops or courses for criminal justice personnel. Subjects might include family crisis intervention, community relations, State criminal codes, constitutional requirements concerning arrests, search, seizure and interrogation, laws of evidence, correctional management, case analysis in prevention programs and correctional counseling.

Proposals must give assurance that existing training efforts, both budgetary and programmatic, are not being supplanted by the proposed funded project. Consideration will be given only to projects open on a statewide or other major regional basis or to agencies with large staff complements. Only proposals that are not duplicative of existing activities will be encouraged.

A second approach will provide grants to agencies to permit attendance at special LEAA-operated seminars, institutes or workshops, or projects where LEAA specifically requests state planning agencies to make funds available for interest groups to attend an activity.

The third approach will support, for the final year, the four State colleges which presently have criminal justice baccalaureate degree programs and are currently receiving State Law Enforcement Planning Agency funds. These funds are made available to support the programs at the colleges to meet the growing demands in the State. This approach was designed as a five-year pilot program in the 1971 State Plan to create centers of excellence to serve the different regions of the State with baccalaureate programs so that pre-service students could continue their education beyond the two-year degree level available in community colleges.

Funds will be provided under a fourth approach to the New Jersey Police Training Commission to

continue improving the quality of basic training for law enforcement personnel in the State. Special emphasis will be placed on the development of in-service training capabilities. Audio-visual resources in the State will be inventoried and evaluated and a law enforcement multi-media resource center will be developed.

The Division of State Police will be provided with a grant under a fifth approach to continue its training effort in organized crime investigation and narcotics enforcement. Each of these efforts previously appeared under programs dealing specifically with organized crime and narcotics enforcement and will be combined under this program area.

The following projects or activities are excluded from funding:

- a. Self-instructional type courses, correspondence courses and general self-improvement courses not directly related to a specific aspect of criminal justice activity.
- b. Collegiate "courses," credit or non-credit.

**Subgrant Data:**

Under approach one, \$192,000 will be made

available to criminal justice agencies or institutions of higher education in cooperation with appropriate units of government to develop training projects.

Under approach two, \$15,000 will be made available to criminal justice agencies to supplement their training efforts through participation in special LEAA-sponsored projects.

Under approach three, \$75,000 will be made available to complete the five-year effort begun in 1971.

Under approach four, \$75,000 will be made available to the Police Training Commission for continuing training improvements.

Under approach five, \$100,000 will be made available to the Division of State Police.

**Budget:**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C			
Block Support	\$457,000	\$50,778	10%

**Program 5-8: Coordinated State and Countywide Police Legal Advisory Units**

**Objectives:**

To provide the police with the necessary legal advice concerning the performance of their law enforcement function and to provide them with the capability to train their personnel on a continuing basis on the latest rulings of the court and state of the art.

**Implementation:**

The 1973 Plan provided funds totalling \$100,000 to implement police legal advisory units in Atlantic, Essex and Sussex Counties and the Division of State Police. In the 1974 Plan, only \$25,000 was allocated under this program area to fund the unit for the State Police which was scheduled to begin in 1973. This year \$75,000 will be awarded to continue and expand the State Police Legal advisory unit and provide two additional counties with the opportunity to establish a unit.

Due to delays incurred in start up, no new grants were made available to counties in the 1974 Plan. Evaluation of these projects served as a basis for

funding consideration of three new projects.

Each legal unit performs the following services on a countywide or statewide basis: 1) the screening of search warrants for legal sufficiency and the standardization of procedures for obtaining same; 2) the review for legal sufficiency and the standardization of arrest procedures; 3) the provision of appropriate on-the-scene legal advice and development of legally sufficient procedures with regard to riot or crowd control emergencies where mass arrests are anticipated; 4) the dissemination of legal interpretations and practical implications of statutory and case law changes; 5) the provision of around-the-clock availability of legal personnel for the purpose of giving informal and immediate legal guidance when required and 6) the provision of criminal law instructional services for the various local in-service training programs and Police Training Commission-approved schools.

Although the pilot projects have not been completed, evaluation to date has shown that local police personnel are utilizing legal advisors quite extensively. All four subgrantees have viewed the

introduction of a legal advisor as a most valuable asset. In addition to the special training provided by the legal advisor, daily inquiries are answered concerning points of law. Both staff and line police personnel contact the advisor to obtain information and advice on legal matters. All three county advisors disseminate pertinent information on legal decisions affecting law enforcement and prosecution in this State. One service which is used on a daily basis is the provision of 24-hour legal guidance. Average figures for telephone and letter inquiries received by the three county units are as follows:

County Unit	Average Monthly Inquiries
Atlantic County	44
Essex County	65
Sussex County	50

Based on information gathered to date, it would be impractical to expect one legal advisory unit to provide the necessary services for the entire State Police field personnel. Therefore, a second unit will be funded to facilitate timely services when and where needed.

In 1975, a total of \$75,000 in federal money is allocated for this program, to perform those functions enumerated above. Records of these

activities will be retained and made a part of the required reports.

### Subgrant Data:

Two grants will be made available to counties at a cost of approximately \$25,000 per county. The position of police legal advisor will be filled by an assistant prosecutor who will devote full time to the duties stated above. This legal advisor must be available on a 24-hour basis.

One additional grant will be awarded to the Division of Criminal Justice, New Jersey Department of Law and Public Safety to continue the State Police Legal Advisory Unit at a cost of approximately \$25,000.

It is anticipated that the three counties receiving 1973 Plan funds for Legal Advisor projects will assume project costs in 1975.

### Budget:

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C Block Support	\$75,000	\$8,334	10%

## Program 5-9: Increased Crime Laboratory Services

### Objectives:

To maintain New Jersey State Police forensic laboratory services presently offered to almost all law enforcement agencies throughout the State.

To complete acquisitions of specialized scientific equipment and complete staffing necessary to bring the operating efficiency of the existing regional forensic laboratory system up to maximum output.

### Implementation:

In response to the needs and priorities established by the Department of Law and Public Safety and in an attempt to improve forensic laboratory services to local, county and State law enforcement agencies, the 1975 Plan will provide funds to continue and refine existing forensic laboratory capabilities.

The effort to increase the State's crime laboratory capability originated with the inception of the 1970 Plan. Block grant and discretionary funds have been utilized in the overall effort aimed at increasing the availability of laboratory services to State and local law enforcement agencies.

Since 1970, the Division of State Police in response to increasing demand has developed and partially implemented an expansion and regionalization plan for forensic laboratory services. The objectives of this plan are to maintain and expand the central lab at West Trenton and establish three regional labs at Little Falls, Hammonton and Sea Girt to be more responsive to local needs. The Little Falls lab was opened in August, 1972 and the lab at Hammonton in June of 1973.

The need for this program is demonstrated by the fact that over the last seven years New Jersey has experienced a nine percent rise in population accompanied by a 136% crime index increase which has generated a three-fold increase in cases investigated utilizing forensic techniques. Projections based on this information and other criteria demonstrate the need for continuation and possible further expansion of the forensic science capabilities and availability in New Jersey in order to satisfy the needs of the criminal justice system.

The initial activities of the project focused on the improvement of the capabilities of the central

laboratory at West Trenton while two other satellite laboratories were constructed in other areas of the State. The goal of the satellite laboratory effort is the provision of competent services to law enforcement agencies on a regional basis. By doing this, less time will be consumed in transporting evidence and quicker turn-around times will be realized.

The satellite laboratories have met with great acceptance by local police agencies. The bulk of casework in the facilities has concerned itself with examination of evidence in narcotic-related investigations. However, the demand for ballistic examinations is rapidly increasing.

The 1973 and 1974 Plans provided for the continuation of efforts of the three existing labs—West Trenton, Little Falls and Hammonton—and implemented a program for providing crime scene evidence specialists and mobile labs for use by local agencies.

The 1974 Plan originally was scheduled to include funds to address construction of a proposed third regional facility to be located at Sea Girt. However, financial constraints necessitated the postponement of construction plans and as a result, 1974 funds were utilized to hire additional scientific and clerical support personnel at Little Falls and Hammonton, as well as purchase additional equipment designed to bring instrumental analysis capabilities at the regional labs up to a level equal to the central laboratory at West Trenton.

The 1975 Plan will provide funds to continue and refine existing efforts at the three forensic laboratories in order to keep up with the rapidly increasing demand for forensic analysis of physical evidence. Attempts will be made to reduce the turn-around time required in completing cases and to reduce the rapidly increasing backlog. Shown clearly in the statistical summary which follows is the degree to which this need has grown and how it has increased the workload of the Division of State Police forensic science laboratories.

#### LABORATORY CASELOAD VOLUMES

Fiscal Year	Cases	State Police	Other Agencies
1968	4,742	1,181	3,651
1969	5,930	1,713	4,217
1970	9,652	2,764	6,888
1971	13,394	4,035	9,359
1972	15,364	4,970	10,394
1973	19,580	3,758	14,822

#### PERCENTAGE OF DISTRIBUTION

Fiscal Year	State Police	Other Agencies
1968	24.9	75.1
1969	28.9	71.1
1970	28.6	71.4
1971	30.1	69.9
1972	32.3	67.7
1973	24.3	75.7

#### Subgrant Data:

The Division of State Police will be the only eligible applicant.

#### Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C			
Block Support	\$650,000	\$72,223	10%

## Program 5-10: Expanded Specialized Investigation of Organized Crime

### Objectives:

To continue and expand the capabilities of State level law enforcement agencies to detect, investigate, apprehend and prosecute individuals involved in organized crime with additional emphasis in the areas of arson and labor racketeering.

The nature and magnitude of organized crime activities requires the development and implementation of a statewide concentrated effort utilizing local, county and State resources in order to abate organized crime inroads into society and commercial interests. Previous State Law Enforcement Planning Agency funds have provided expanded general

intelligence, investigation and prosecution capabilities. It is becoming increasingly apparent that specialized resources must be implemented in order to impact on several of the more sophisticated areas of organized crime involvement.

### **Implementation:**

It is anticipated that in 1975 the Statewide Organized Crime Intelligence Project and the Statewide Organized Crime Investigation/Prosecution Project will continue to receive partial support from the State Law Enforcement Planning Agency. In response to the needs and priorities as proposed by the Division of State Police, the 1975 Plan will provide funds for expansion of statewide investigation activities of organized crime in the specific areas of arson and labor racketeering.

The 1973 and 1974 Plans allocated \$652,000 and \$607,000 respectively to provide for the continuation and expansion of the Statewide Organized Crime Intelligence Project, the Organized Crime Investigation/Prosecution Project and the implementation of an organized crime arson investigative unit.

The 1974 Statewide Organized Crime Intelligence Project, initiated under the 1970 Plan and continued in 1971, 1972 and 1973, placed major emphasis on increasing the analytical capabilities of the Intelligence Bureau and the establishment of a centralized information collection system. Since its establishment, 375 local, county and State agencies have joined the system.

In Fiscal Year 1974, the unit processed approximately 2,910 requests for intelligence information and over 30,000 types of record checks in addition to the gathering and analysis function.

The 1974 Organized Crime Investigation/Prosecution Project, also initiated in 1970 and continued in 1971, 1972 and 1973, has continued to function as a joint effort of the Division of State Police and the Organized Crime and Special Prosecution Section of the Division of Criminal Justice. This project, an integrated effort by the police and attorneys to impact on organized crime, has resulted in 14,430 investigations, 742 arrests, 64 indictments and 137 convictions in FY 1973. In addition, in Fiscal Year 1974, a total of 14,377 investigations were initiated, 556 arrests were made, 59 indictments were handed down and 77 individuals were convicted of organized crime activities or public corruption. During this two-year period, \$1,532,628 in property was confiscated.

The investigations and indictments included the charges of corruption, bookmaking, illegal lottery, obstructing justice, loan-sharking, hijacking,

embezzlement, conspiracy, bribery, extortion, perjury and murder. Other investigations have continued that will lead to numerous indictments.

A new approach, the target city concept which began in 1972, was continued in 1973 and 1974. This technique provides for the identification of targets among organized criminal activities based upon intelligence data. Some of the investigations have been ongoing for over 16 months and require extensive deployment of personnel.

Significant inroads have been made in the area of organized gambling, official corruption and hijacking. However, current intelligence reflects a change of strategy by organized criminal elements and therefore, in order to achieve future success in this area, it will be necessary to expand the target-type investigations which are primarily directed toward areas of the State where many facets of organized crime are realizing profits from legitimate businesses and avoiding taxes that the various levels of government seek to collect.

The 1974 Plan also included a program for expanded investigation of the organized crime-related crime of arson. An arson squad was established and the Statewide Arson Network System was implemented. These initiatives were made in response to the growing involvement of organized crime elements in arson offenses for the purpose of coercion or fraud. The investigators assigned to this unit have initiated investigations, gathered evidence and arrested members of organized crime arson rings. In addition, members of the unit are collecting intelligence and analyzing and disseminating arson-related information to other law enforcement agencies.

The Statewide Arson Network System will provide a central arson-related intelligence bank and will facilitate the deployment of manpower and resources. The information contained in the System and the squad itself is available to assist local units when requested.

To meet the need for specialized investigative resources, the 1975 Plan will:

1. Continue and expand the Statewide Arson Investigation Unit. Funds will be utilized for the partial compensation of salaries of four additional detectives, one intelligence abstract clerk, one additional clerical and necessary supplies and equipment.

2. Initiate an organized crime labor racketeering unit within the Intelligence Bureau.

Corrupt unions can hinder or destroy many businesses. The control of these unions by organized crime adds another weapon to their arsenal when

competing against legitimate businesses. Work stoppages, slowdowns and other job actions have caused many small contractors to regret they decided to enter the small business field. Payment of sub-union wages and the absence of strikes, slowdowns or other adverse labor problems insure that mob-operated or controlled businesses will reap healthy profits which further imbalance the scales or equal opportunity to the detriment of legitimate businesses.

The Division of State Police will establish a Labor Racketeering Unit and provide a statewide effort in the areas of collecting, collating, analyzing and disseminating local, county and State law enforcement information related to the involvement of organized crime in organized labor.

Project funds will be utilized for salary compensation of five detectives, two clericals and one intelligence abstract clerk.

3. Continue and expand existing State Police efforts designed to investigate and prosecute

organized crime figures. Ongoing intelligence operations will provide needed support for the proposed specialized investigative activities.

**Subgrant Data:**

The Division of State Police will be the only eligible applicant. One grant of \$100,000 will be made available to implement the first objective, a grant of \$100,000 will be made available to implement the second objective and the remaining funds of \$435,000 will be made available to implement the third objective.

**Budget:**

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C			
Block Support	\$635,000	\$70,556	10%

## 6. DIVERSION

### Program 6-1: Improvement of Police Services to Juveniles

**Objectives:**

To develop and implement programs within police departments that will promote a fair, consistent and understanding approach to the handling of juveniles.

To provide professional counseling and referral services to those juveniles who have had direct police contact but have no complaints signed against them. It is planned that 35 projects will be funded serving in excess of 5,000 juveniles.

The initial contact by a juvenile with the criminal justice system usually involves the police. The manner in which the police handle this contact is of critical importance in the development of the juvenile's attitude toward the police. It is necessary, therefore, for police departments to handle juveniles in a manner that addresses the underlying problems which caused the police contact and not arbitrarily.

The objective of this program area is to enable police departments to serve these youngsters by providing short-term counseling services or referring them to community agencies which are able to offer

a more complete range of services. These services must be voluntarily requested by the juvenile and parent/guardians.

**Implementation:**

This program area was originally designed to improve the overall relations between the police and juveniles in a community by such means as police-supervised recreation projects and projects in the schools. However, as these projects began to develop it was apparent that those juveniles who were coming into contact with the formal juvenile justice system were not being given the attention and services needed to prevent them from recidivating. This program area is presently designed to offer the juvenile officer an option for those youths who are not having a complaint signed against them. There are currently 23 programs functioning that are providing more than 4,000 youths per year with counseling and other social services. For example, the Township of Edison has hired a full-time counselor and a part-time social worker to work in its juvenile aid bureau. The Borough of Willingboro

currently employs two full-time counselors in its juvenile aid bureau.

Applications are encouraged from local units of government and combinations of such units to implement projects that will service juveniles not referred to court, many of whom are first offenders. This program area does not include funds for police salaries, police equipment or police/juvenile relations programs in the schools.

Funding consideration will be given to the following:

1. The establishment of juvenile aid units in municipalities where a substantial number of juveniles are being handled by members of the police department whose other normal duties may not assure the proper handling of juvenile offenders. This unit must include a social service component to provide services and make referrals for those juveniles in need of services where such services are requested.

2. The expansion of present juvenile aid units to incorporate a wider variety of services for youthful offenders, such as a referral source to other agencies that serve youth or the hiring of social caseworkers or other professional staff to help and advise in the handling and disposition of cases. All police departments are encouraged to formulate policy guidelines and training programs on juvenile

matters for department personnel including community referral, detention and court referral policies. It is anticipated that the guidelines will cover the wide range of police dispositions and criteria for selection of appropriate dispositions. All guidelines must be approved by the Administrative Office of the Courts.

3. As a general policy, projects in this area will not be funded for more than three years.

Any project funded under this program area will be subject to programmatic modifications that may be necessary to be in conformity with anticipated State Supreme Court and Administrative Office of the Courts rules and guidelines.

### Subgrant Data:

Up to 17 projects will be awarded second or third year continuation funding.

Up to six new projects will be funded at up to \$30,000 for each program.

### Budget:

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C			
Block Support	\$650,000	\$72,223	10%

## Program 6-2: Youth Service Bureaus

### Objectives:

**To establish agencies in the community that serve to divert youths from the criminal justice system.**

**To provide advocacy, crisis intervention and other needed services.**

**To encourage system change and general youth development.**

**To coordinate and utilize existing social, medical and rehabilitative services.**

It was projected that seven youth service bureaus would be operational in the 1974 Plan year. Ten youth service bureaus were implemented and it is anticipated that 12 will be operational in the 1975 Plan year. They will deal with at least 5,000 youths and include concentrated services for more than 2,000.

### Implementation:

The need and desirability of establishing youth

service bureaus to focus on the special problems of youth in the community is one of the major recommendations of the National Advisory Commission on Criminal Justice Standards and Goals.

The youth service bureau was originally a separate program area in the 1969 Criminal Justice Plan but because few communities developed programs during that year it was included under the area of Community Involvement in Juvenile Delinquency in subsequent Plans. It was re-established as a separate area in 1973 as the result of increased interest due to the successful implementation of several youth service bureaus in the State and in other parts of the country.

Because it is imperative that communities find new ways of meeting their juvenile delinquency problems through innovative approaches, thrust is being made in approaching youths who are troublesome, but may not yet be defined as delinquent. Community organizations which take a remedial approach may halt processes which help cause delinquent behavior.

Such causal factors are a realistic target for delinquency prevention and community organizations can attack these targets through integration of services needed by youngsters.

The youth service bureau concept has thus far been implemented with State Law Enforcement Planning Agency funds in nine municipalities and one county. The Irvington Youth Resources Center is presently in its second year of funding and provides counseling, tutoring and recreational activities. The project utilizes community volunteers and civic organizations to provide various socialization and recreational functions. The Newark Youth Services Agency is in its second year of Agency funding and has two satellite offices in the City to serve youths closer to their homes. The Livingston project presently in its first year of funding has satellite offices serving juveniles from Livingston, Montclair and Verona. Middletown, Asbury Park and West Orange are in their third year of operation and the East Orange and Passaic Youth Service Bureaus are in their first year of Agency funding. The Union County Bureau is countywide with four regional satellite offices and was initiated in 1973.

A youth service bureau is designed to receive referrals from all branches of the community and the juvenile justice system; act as central coordinator of all community services for youth; and also provide or help to establish youth services presently lacking in the community. Administratively, the bureaus must not be in the same unit responsible for investigation and arrest of juveniles, but should be a separate and distinct entity.

Cases referred to the youth service bureaus by police agencies and court intake staffs have special status and the bureaus are required to accept all such referrals. In cases where serious offenses have been committed, the youth service bureau has the authority to refer to the juvenile courts those with whom they cannot deal effectively. The bureaus have the direct responsibility for developing and implementing a plan of service for juveniles now handled either inappropriately or not at all.

It is preferable for youth service bureaus to be operated as public agencies, however, in some cases the function can be performed by a private agency under contract to a local unit of government. When projects require contractual operation, the applicant should demonstrate a plan for eventual assumption of cost by the applicant's unit of government or a community group. In all instances, the active interest and support of both local governmental officials and community leaders is a mandatory prerequisite.

In order to be compatible with the overall goals

and objectives of the State Law Enforcement Planning Agency, youth service bureaus must serve referrals from the juvenile justice system, from appropriate non-criminal justice agencies and self-referrals. If the bureau is designed to serve primarily the pre-delinquent or non-criminal justice agency referrals, then it must be located in an area experiencing very high rates of juvenile delinquency. The location of a bureau serving primarily pre-delinquents in a "low crime area" is not fundable.

The number and types of services which can be provided through a youth service bureau are limited only by the imagination of the local officials implementing the project and the willingness of other public and private community-based youth projects to commit themselves to a coordinated, cooperative effort.

The spectrum of services to be provided in a particular area should be tailored to meet the specific needs of potential clients in that area. There are, however, a number of basic service capabilities that all youth service bureaus must have to meet State Law Enforcement Planning Agency delinquency reduction and crime prevention goals:

1. Adequate professional staff with the capability to determine the problems and needs of each juvenile referred to, or coming to, the bureau for help must be employed to develop with the youth and his parents a treatment plan for meeting the needs identified.

2. The bureau must have an emergency crisis intervention capability.

3. The bureau must possess adequate professional staff capability to be able to provide basic counseling services to both youths and parents.

4. The bureau must have a system for referring youths who cannot be served by the program to other community-based youth treatment programs in addition to maintaining a catalogue of the current resources of such programs.

5. The bureau must be able to provide vocational counseling and job placement assistance whether through the efforts of in-house staff or via a referral agreement with other public or private agencies designed to perform such services.

6. The bureau must be able to work with other community-based youth programs for the purpose of identifying service gaps and coordinating activities.

7. The bureau must be able to provide drug abuse prevention or drug abuse treatment referrals to other agencies capable of providing such services.

8. The bureau must have an information system which enables the agency administrator to follow the treatment progress of each client whether being treated in-house or by an outside agency.

In addition to the above, there are several other services that may be considered to be basic in most communities:

1. The bureau can provide tutoring and remedial education on an individual or group basis either through the efforts of in-house staff or volunteers coordinated by the bureau's staff.

2. The bureau can provide recreation and leisure time programs for youthful clients.

3. The bureau can provide health services through authorized personnel.

4. The bureau can provide legal services either through the use of volunteers coordinated by the bureau staff or on a referral basis.

When cases are referred to the bureau by the juvenile justice system or other referral agencies, it is the bureau administrator's responsibility to keep the referring agency informed about the treatment progress of each youth referred. In the event that the efforts of the bureau are not helping the youth or if the youth refuses to take advantage of the bureau's services, the referring agency should be notified so that formal action can be taken.

Any project funded under this program area will be subject to programmatic modifications that may be necessary to be in conformity with anticipated State Supreme Court and Administrative Office of the Courts guidelines.

**Subgrant Data:**

Up to ten grants will be available for continuation of previously funded projects which have demonstrated success by meeting stated goals. Up to two new programs will be funded, one in a single municipality and one in a combination of municipalities to form a regional program.

**Budget:  
pick up tab**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C			
Block Support	\$1,264,000	\$140,445	10%

**Program 6-3: Development of Community Resource Systems for Treatment of Adult Drug and Alcohol Offenders**

**Objectives:**

To assist State and local units of government in reducing crime related to drug and alcohol abuse by developing treatment modalities that will service client needs and promote the re-socialization of approximately 2,000 individuals in non-institutional settings.

To continue the development of the central intake unit approach providing intake screening, detoxification, referral and follow-up of the drug and/or alcohol offenders.

To provide priority funding for drug/alcohol abuse treatment projects that demonstrate a resource capability for diversion from the criminal justice system and utilize community-based resources such as community health centers, vocational adjustment centers and manpower services during the different phases of treatment.

To provide contractual services for detoxification of the court-referred alcoholic offender where services from drug abuse detoxification units are not available. Such purchases will be provided for an estimated 1,800 alcoholics.

To fund a pilot project attached to a community health center providing treatment for the parolee with emotional and psychological problems.

**Implementation:**

This 1975 program area provides for increased funding in the area of alcohol abuse and for development of community resource systems capable of delivering services to both drug and alcohol abuse offenders. The 1974 Plan included two program areas entitled, "Diversion of Drug Dependent and Alcoholic Offenders" and "Treatment and Rehabilitation of Drug Dependent Individuals," which are consolidated in this program area.

As the projects funded under this program area are being directed toward the adult drug and alcohol offender, two projects serving an essentially juvenile population (Integrity Youth Facility—Essex County and Harold House—Bergen County) have been transferred to the program area dealing with "Residential Facilities for Juveniles in Need of Supervision and Community Treatment Facilities for Juvenile Delinquents."

Agency funding of methadone maintenance programs will be substantially reduced under the 1975 Plan. Methadone as a mode of treatment has moved from the demonstration stage to a modality of proven effectiveness and should become the responsibility of other agencies which have the prime responsibility for support of drug treatment and rehabilitation. Total funding from LEAA block grant funds in the amount of \$2,353,653 was granted for methadone programs under the 1973 and 1974 Plans. The increasing need for treatment of the alcoholic offender in the criminal justice system will be met by the funds diverted from the methadone treatment program and by inclusion of the alcoholic in existing drug intake, detoxification and treatment programs whenever such combined services are possible. Drug treatment units are increasingly cognizant of the co-existing problem of drug addiction and alcohol dependency in their client groups. Several drug treatment projects have already included services for the alcoholic in their programs. All central intake units and treatment projects funded under this program area will be encouraged to include the alcohol offender. Emphasis will remain on providing a resource for those offenders referred from the criminal justice system.

Essential to the diversion of the drug and alcoholic offender is the central intake unit in which screening, evaluation, detoxification, referral and follow-up are the keys to the treatment process. At the present time, seven units exist and are serving essentially the drug offender. Intake evaluation and follow-up functions are deficient in several units and require improved feedback documentation to assess client progress. Input to the units will also be expanded to include male and female alcohol and drug offenders. Central intake units should also be aggressive in developing such resources as student interns working for academic credit and volunteers trained by unit staff. Purchase of service agreements may be entered into for target client groups within the criminal justice system. Such purchase of services should not duplicate services available from other State or local sources.

Central intake unit projects were not funded under the 1974 Plan. As a result, funding in this Plan will be limited to expansion and refining of existing units.

In the 1974 Plan, Part C funds in the amount of \$2,501,000 were allocated for drug programs. As of September, 1974, a total of \$2,306,437 of this amount was subgranted as follows:

1. Projects structured to provide treatment based on concepts of self-awareness and peer interaction within residential therapeutic communities received

total funds in the amount of \$373,735. Two projects with a combined client population of 141 were funded and are located in Camden and Salem Counties.

2. Two of five day care/ambulatory counseling projects located in Camden and Woodbridge received a total funding of \$136,576. The remaining projects located in Perth Amboy, Bayonne and Sussex County received funds totalling \$259,772. Services are being provided under the projects for approximately 1,300 clients. The day care program is structured in the same manner as a therapeutic community facility, however, since it is an out-patient program, the treatment is not as intense. Program activities are structured into a time table consisting of eight hours per day, six days per week for a possible nine month duration. For the first 90 days, the client is involved in a period of orientation which closely resembles the therapeutic community concept. The client is then encouraged to seek employment or to pursue an academic course of study, while also attending counseling sessions three times a week. Eventually the counseling sessions are reduced to weekly visits.

3. An ambulatory outreach center provides individual and group counseling and also serves as an information center for soft drug abusers. The length of the program is contingent upon the clients who are usually classified as experimenters. An outreach center for Cape May County received funds in the amount of \$100,000.

4. Methadone maintenance provides a legal drug substitute that affords the hard core addict a final opportunity to lead a positive life style. Although this form of treatment can be considered a lifetime commitment, the client is encouraged whenever possible to obtain a drug-free status. Grants in a total amount of \$1,471,126 were funded to the New Jersey Methadone Maintenance Program which provides services for 17 municipalities and counties and to the Community-Based Methadone Maintenance Center in Jersey City. Two additional projects located in Kearny and Bergen County are operating under 1973 funds totalling \$180,142.

5. Two vocational adjustment centers were funded under the 1974 Plan that provide client services with an emphasis on personal adjustment rather than vocational training. One of two facilities located in Paterson received 1974 program funding in the amount of \$125,000. The second project operating in Jersey City will continue under 1973 funds. Program services will be made available to a minimum of 360 clients during the present program year. As the Jersey City project is more adaptable to enrolling a wider range of offenders than those with drug or alcohol problems, funding consideration

for the project under this plan has been moved to the program area dealing with "Development of Community Resource Systems to Aid the Adult Offender."

6. The Drug Abuse Treatment Information Project which was awarded close to \$200,000, will not be refunded.

The 1974 Program Area 6-3, "Diversion of Drug Dependent and Alcoholic Offenders" received an allocation of \$500,000 to continue five existing projects. As of September, 1974, a total of \$216,391 was subgranted to two projects located in Passaic and Union Counties. The Jersey City, Trenton and Hackensack projects which provide purchase of services for alcoholic detoxification of court referrals will utilize the remaining funds in the program area.

The Runnells Hospital Diversionary Alcohol Detoxification Program has been in operation since February, 1973. Operating as a Rule 3:28 Pre-Trial Intervention Project for Union County Courts, referrals are also received from the police and community agencies. Detoxification and medical services will affect approximately 1,350 clients out of an estimated referral number of 1,500 cases. All clients admitted to the program receive counseling, psychiatric evaluation and referral to appropriate social and community service agencies for extended assistance.

Alcoholic detoxification services for police, municipal court and social service agency referrals will be provided for approximately 300 clients through the detoxification center program located in Trenton. The project provides an emergency detoxification facility operating 24 hours a day, seven days a week. Each client referred receives complete supervised medical treatment and 21 hours of individual and group counseling provided by on-loan counselors from related support agencies.

During the period from September, 1973 to June, 1974, the Hackensack Alcoholic Rehabilitation Program screened 277 defendants from the Hackensack Municipal Court. As an alternative to sentencing procedures developed by the court, the judge imposes what is called "coercive rehabilitation" which allows a defendant the choice of a jail term or a specific probationary period supervised through participation in a program of counseling and referral to detoxification and treatment agencies.

The Mount Carmel Alcohol Detoxification Unit was funded under the 1974 Plan to provide treatment to all alcoholics within the Passaic County criminal justice system, i.e., the municipal courts, county courts, probation and State parolees. For the six month period of the present grant, it is estimated that a total of 150 alcoholics will be enrolled in the

program on an in-patient basis. Alcoholics receive medical, social, nutritional, psychological and detoxification care as well as referrals to local community service agencies.

The Jersey City Alcoholism Rehabilitation Program is designed to divert approximately 300 referrals from the Jersey City Police Department and the Municipal Court. Participants of the program also include court referrals under Rule 3:28.

### **Subgrant Data:**

Four grants ranging from \$20,000 to \$35,000 and totalling up to \$125,000 will be made available to the Department of Health, Division of Narcotic and Drug Abuse Control in conjunction with the Alcoholism Control Program to provide for expansion of central intake units including alcoholic offenders referred from the criminal justice system. Funding for purchase of community services for the alcoholic offender will be included in the total amount. Grants awarded to State agencies under this program area will provide services on a local level, therefore waivers are required from local units of government for purposes of utilizing funds as local money.

Methadone maintenance projects will receive reduced funding up to \$360,000 to continue the Kearny and Bergen County methadone centers and for interim funding up to June 30, 1975 of the Jersey City Community-Based Methadone Maintenance Center. This will be the final funding for methadone maintenance programs.

Funding up to the total amount of \$440,000 will be available to existing drug free treatment programs that can demonstrate an effective capability to absorb the alcohol abuse offender.

Two new grants within a range of \$60,000 to \$80,000 as well as continuation of the Paterson United Against Drug Abuse (P.U.A.D.A.) grant will be available up to a total amount of \$250,000 for vocational adjustment programs.

A pilot project to be funded in Mercer County will provide services to parolees with emotional and psychological problems. Initial funding up to \$90,000 will be provided for this project.

Funding up to a total amount of \$500,000 will be provided for grants ranging from \$60,000 to \$100,000 for the purchase of alcohol detoxification services for court referrals.

Under the 1975 Plan, the applicant must obtain a letter of endorsement from the Division of Narcotic and Drug Abuse Control and/or Alcoholism Control, which are subdivisions of the Department of Health. Projects that incorporate dual treatment components

will necessitate both acknowledgements while programs that are geared strictly to drug or alcohol abuse require only one endorsement.

All grants will be simultaneously submitted to the Agency and the Division of Narcotic and Drug Abuse Control and/or Alcoholism Control.

**Budget:**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C Block Support*	\$1,765,000	\$196,112	10%

\*\$125,000 of Part C funds not awarded from 1974 Plan Program Area 4-3 "Treatment and Rehabilitation of Drug Dependent Individuals" will be utilized as carry-over funds to support this program area.

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## 7. ADJUDICATION

### Program 7-1: Municipal Court Management and Improvement Program

**Objectives:**

To improve municipal court services through more efficient administration.

To insure the municipal courts have available legal counsel for both the prosecutorial and defense functions.

To establish within municipal courts resources permitting pre-trial screening of all defendants.

To provide alternate means of resolving family disputes within the municipal court structure.

**Implementation:**

A program to restructure the Newark Municipal Court was introduced in the 1972 Plan. The project became operational in mid-1973 and was again funded in 1974. It is projected that the current Plan will complete the development of this activity in Newark. This project provided a professional court administrator, attorney services assigned to the court to prosecute cases not handled by the prosecutor, defense counsel for indigents, pre-trial bail and diversion screening and a family dispute service to adjust cases informally where notice in lieu of complaint is appropriate.

Utilizing 1972 funds, this project was replicated in the Jersey City Municipal Court, was continued with 1974 Plan funds and will be concluded with this Plan.

In this program area for 1975, it is expected that part or all of the components of projects imple-

mented in Newark and Jersey City will be introduced to other municipal courts evidencing a large volume of court business and demonstrating a willingness to participate.

This program area, in addition, will address the problem of municipal court records management and storage. Where microfilm systems are requested, approval must be secured from the Administrative Office of the Courts under Rule 1:32 pertaining to the retention and destruction of original court documents after they are recorded on microfilm. Assurances must be given that reproduced documents are of archival quality as prescribed by the Department of Education, Archives and History Bureau.

In some instances a particular municipal court improvement project may require facility alterations, renovations or rearrangements. When an applicant demonstrates a project's implementation is dependent upon facility changes, modest costs may be included for the facility alterations portion of the budget. Applications that include furnishings or decorations for the sole purpose of aesthetic improvement will not be approved.

**Subgrant Data:**

Newark and Jersey City will be eligible for continuation grants of up to \$50,000. The City of Camden will be eligible for a grant of up to \$150,000 to replicate the Newark project for that jurisdiction. A maximum of seven grants of up to \$25,000 each will

be awarded to jurisdictions with a high volume of court business to hire a court administrator, contract legal services or establish a pre-trial management or neighborhood and family dispute service. Seven grants up to \$20,000 will be awarded to municipalities for management of court records projects. Remaining funds will be awarded for additional court improvements where a demonstrated need exists.

**Budget:**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C Block Support	\$700,000	\$77,778	10%

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**Program 7-2: Expand and Improve Juvenile and Domestic Relations Court Intake Screening**

**Objectives:**

To aid in providing the juvenile courts with intake units which can screen 50,000 potential complaints yearly filed against juveniles charged with delinquent and JINS offenses.

To reduce the number of complaints formally adjudicated by the juvenile court judge through the referral of appropriate cases to community resources such as youth service bureaus, juvenile conference committees, vocational and educational institutions and other social, medical, welfare and mental health agencies.

To reduce to an absolute minimum the number of juveniles placed in detention and shelter care through strict adherence to statutory requirements regulating such temporary custody.

**Implementation:**

The focus of this program area in 1975 will be on assisting the development of a statewide system of juvenile court intake screening units under the direct supervision and control of the Administrative Office of the Courts.

There has been a growing emphasis reinforced by the standards and goals set by the National Advisory Commission on the diversion of juveniles from the court process by referring them to outside service agencies. In addition to functioning in this capacity, intake unit personnel also serve to screen juveniles for temporary placement in detention and shelter care facilities prior to court disposition.

Utilizing an intake procedure for purposes of diversion is a recent concept within the State, having been fully instituted only in Morris County. However,

the effectiveness of that project has encouraged the development of additional units to a limited extent in Essex and Mercer Counties and has influenced the proposed establishment of a statewide network.

The Morris County Intake Unit, started in 1971 and now funded under the 1973 Plan, is continuing its third year of operation. The Mercer County project was initiated with 1973 funds and an extensive pilot project was initiated in Essex County in late 1974.

The 1975 funds in this program area will be primarily directed toward the continuing expansion of the juvenile court intake units in keeping with developing State policy.

**Subgrant Data:**

Up to nine grants will be available to start intake screening units in vicinages which currently do not have projects. Grants will range from \$35,000 to \$75,000 depending on court caseloads and available services.

Any project funded under this program area will be subject to programmatic modifications that may be necessary to be in conformity with anticipated State Supreme Court and Administrative Office of the Courts rules and guidelines.

**Budget:**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C Block Support	\$500,000	\$55,556	10%

## Program 7-3: Pre-Trial Service Programs

### Objectives:

To provide up to six grants to the court geared towards diverting the defendant from the criminal justice system by promoting the use of Release on Recognizance (ROR), ten percent cash bail and other forms of non-monetary, pre-trial release for all eligible defendants.

To enable local personnel to interview each defendant incarcerated in a local lockup for the purpose of making pre-trial release recommendations in accordance with the standards set by *State v. Johnson*, 61 N.J. 351 (1972). Each defendant will be interviewed prior to the first court appearance after filing of the complaint.

### Implementation:

Prior to the 1975 Plan, support for pre-trial services came from three different program areas: "Improvement of Probation Services" has supported the development of a model pre-trial intervention project and will in 1975 develop a model bail service (the State-level project will be funded from 1975 Program Area 7-5); "Diversion of Drug Dependent and Alcoholic Offenders" supported alcoholic detoxification units; and "Non-Institutional Programs for Adult Offenders" supported various pre-trial intervention and employment projects. The latter programs contained projects which combined those functions of the courts that initiate the mechanism of pre-trial release with the functions of the service delivery program. The court has become either the resource for providing services for the defendant or the referral agency assuming many of the screening and evaluation functions that should remain under the aegis of the court.

The 1975 program area is designed to further examine the court's potential for effective release and referral of the defendant to community resources for treatment and supportive programming. The community service delivery resources for court referrals are being developed as part of comprehensive systems for drug and alcohol abuse treatment (Program Area 6-3, "Development of Community Resource Systems for Treatment of Adult Drug and Alcohol Offenders") and community resource systems to include employment, education and counseling (Program Area 9-2, "Development of Community Resource Systems to Aid the Adult Offender") that will be functional as a central resource for various agencies of the local criminal justice system. In New Jersey, the term "pre-trial intervention" is used to

describe a formalized program for selecting from the criminal justice process, after filing of a complaint but before trial or entry of a plea, adult defendants. In accordance with Supreme Court Rule 3:28 governing the practices of "pre-trial intervention," the courts and the prosecutor must: 1.) agree that the defendant in question is not likely to commit criminal or disorderly acts in the future; 2.) remove the defendant from the ordinary course of prosecution by postponing further criminal proceedings for periods of three months to one year; and 3.) dismiss charges against the defendant upon his or her successful completion of a program of supervision, counseling and referral services.

As of September, 1974, six jurisdictions received N.J. Supreme Court approval to conduct programs under Rule 3:28. Pre-trial intervention projects are located in Newark, Hudson County and Bergen County and for diversion of alcoholics in Jersey City and Union County. Also included as one of the approved projects is a Treatment Alternatives to Street Crime (TASC) pre-trial intervention project funded for Newark under a federal discretionary TASC program. A second TASC project funded for Camden County and an expanded bail project in Mercer County are presently waiting for New Jersey Supreme Court approval of a model for statewide implementation. The TASC program is designed to provide full pre-trial intervention services to defendants who have a history of drug abuse.

If the pre-trial intervention model is approved and mandated for statewide implementation, increased funding needs will require support from sources other than this Agency. Taking into consideration that an alternate solution for funding the statewide program would have to be met during 1975 and that Agency responsibility to provide pilot programs for the demonstration, evaluation and development of models has been met, funding in this component of the program area will be limited to providing continuation funding of existing projects as necessary until June 30, 1976. The service delivery components of such projects may qualify for additional continuation funding under Program Area 9-2.

The Newark Defendants' Employment Project (NDEP) was the first pre-trial intervention project funded in the State and the third in the nation. The project began operations in 1970 and by the end of 1973 had enrolled 760 of more than 1,500 defendants considered for the program. NDEP reports that of the more than 500 clients who completed the program only five percent have been re-arrested

subsequent to dismissal. The court-related functions of the pre-trial intervention component were subsumed under the aegis of the Newark Municipal Court in January, 1975. The NDEP project received final funding of \$175,218 under the 1973 Plan.

The Hudson County Pre-trial Intervention project became operational in 1972 and differs from NDEP in that administratively it is functioning under the office of the Hudson County Trial Court Administrator. The project had, by the end of 1973, interviewed over 1,000 defendants, enrolled 540 into the program and achieved dismissal of charges for approximately 380 clients. Of these successful cases, only 8.5% were re-arrested subsequent to dismissal. The Hudson County program concentrated on providing program services to clients charged with indictable offenses and was last funded under the 1973 community correctional projects program area for \$192,090. Final interim funding to June 30, 1975 was included under the 1974 Plan.

Bergen County received funds of \$137,687 for a pre-trial intervention program under the non-institutional projects for adult offenders 1974 program area. The project became operational in June, 1974 and differs from the Hudson County program in its placement within the probation department. Reduced State Law Enforcement Planning Agency funding, anticipating substantial local participation, will be provided in the 1975 Plan to continue the Bergen County project until June 30, 1976.

The Mercer County Pre-trial Court Services and Intervention Project received final funding in the amount of \$61,494 from 1974 funds. This project reflects an expansion of the Mercer County Bail/ROR project that was initially funded for \$37,958 under the development of a statewide pre-trial release system program area of the 1973 Plan. The project is presently providing expanded pre-trial services pending Rule 3:28 approval.

The remaining two pre-trial intervention projects located in Union County and Jersey City provide diversion for alcoholic offenders but are essentially treatment-oriented and are considered in Program Area 6-3 of this Plan.

Under the improvement of probation practices program area of the 1973 Plan, funds totalling \$52,513 were subgranted to continue bail projects in Union and Passaic Counties which were initially funded with 1972 funds. The Union County Bail Project became operational on October 24, 1972. From October, 1972 through June of 1973, a total of 827 defendants were interviewed by project staff. Of that total, 520 cases were released through the

efforts of the project. Of the program releasees, 365 were released after receiving reduced bail and 165 were released through ROR. Final funding for six months was planned for Union County under the 1974 Plan.

The Passaic County Bail Project began its second year of operation on February 2, 1974. Through recommended changes in its direction, the project focused on expanding the volunteer unit to provide one volunteer for each municipality in Passaic County and increasing to 200 the number of accused disorderly persons released to volunteers. The bail unit allows for greater use of the ten percent cash bail process by securing additional verified information on defendants as requested by the assignment judge and assures the bail system of including the better elements of both ROR and surety bail. Passaic County received final funding for this project under the 1973 Plan.

The 1973 Plan also provided \$82,982 for initial funding of bail projects in Mercer and Camden Counties. The Mercer County Bail Project became operational October 1, 1973. From October 1, 1973 through August 31, 1974 the program interviewed a total of 412 defendants of which 158 defendants or 38% were released on ROR and the remaining 254 were determined ineligible for release under the program. As of September 1, 1974, the Mercer County project was continued under the 1974 non-institutional programs for adult offenders program area for \$61,494 and expanded to include pre-trial intervention services scheduled to be operational under Rule 3:28 on January 1, 1975 pending State Supreme Court approval. The second project, the Camden County Bail Unit, became operational on August 1, 1973. From August 1, 1973 through June 30, 1974, the project interviewed a total of 721 defendants and of this total, 300 defendants or 41% were released through either reduced bail or ROR. It is anticipated that the Camden Bail Project will receive final funding under the 1974 Plan. Budgeted funds totalling \$55,895 for continuation and final funding of both bail projects have been made available.

Also, 1974 funds in the amount of \$21,697 were granted to Monmouth County for a final funding of the bail project that was initially subgranted during 1973 with 1972 funds. The Monmouth County Bail Unit began operation August 1, 1973. From the period August 1, 1973 through June, 1974, the project staff interviewed 946 defendants. Of the total defendants interviewed, 79 were released through bail reduction, 180 were released on ROR, 85 were released on ten percent cash bail and 602 defendants were denied bail reduction.

Funding under this program area will be directed toward projects that are structured to incorporate the use of the least restrictive non-monetary releases possible as encouraged by the Administrative Office of the Courts. Projects funded under this area must include components that give the court a more knowledgeable basis upon which to make pre-trial release decisions, provide effective utilization of existing community resources as supportive services to the defendant and provide an extensive client follow-up function.

**Subgrant Data:**

Program efforts will be focused on expansion of pre-trial release programs to new jurisdictions. It is

anticipated that all or a substantial part of previously funded projects will be assumed by the grantee units of government.

Any project funded under this program area will be subject to programmatic modifications that may be necessary to be in conformity with current and forthcoming State Supreme Court and Administrative Office of the Courts rules and guidelines.

**Budget:**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C Block Support	\$300,000	\$33,334	10%

**Program 7-4: Improvement of Services to the Juvenile Court**

**Objectives:**

To improve probation practices by expanding the range and quality of services offered to probationers.

To expand the use of citizen volunteers in probation case counseling.

To provide for professional assistance and to coordinate the activities of juvenile conference committees.

To provide diagnostic evaluations to the juvenile court judge for the purpose of making appropriate dispositions.

**Implementation:**

Probation remains the correction modality most utilized by the courts. It is perhaps the original form of community-based correction and offers an excellent opportunity for effective intervention in the behavioral pattern of a juvenile delinquent. Although use of probation has increased dramatically, staff and resources have not increased proportionally, resulting in caseloads that are too high for effective work to be done.

The 1971 Plan did not include a program identified specifically for probation, however, grants were made to one county for a diagnostic program and to the Administrative Office of the Courts to create a research and development service to assist the 21 probation departments in upgrading management and service systems.

The 1972 Plan contained a program area entitled, "Improvement of Parole and Probation Practices" which made available \$600,000 to county probation

departments to develop programs involving use of volunteers in the supervision of probationers, experimentation with juvenile intake services, specialized caseloads with intensive supervision approaches and expansion of group counseling and vocational placement services. Eleven county projects received funds totalling \$567,827.

The 1973 Plan was the first to devote a program area specifically to probation needs. A total of \$550,000 was allocated for expanding and intensifying the use of specialized programmatic services at the county level. A total of \$246,000 was earmarked for the Administrative Office of the Courts to create staff capabilities to accelerate the use of volunteers, coordinate the use of diversion programs and further develop its research and management capability. An additional \$50,000 was made available for expanding on-the-job training of probation officers.

In the 1975 Plan a distinction is being made between juvenile probation and adult probation which is considered under another program area. Applications are encouraged from county governments to implement programs that will utilize well-trained citizen volunteers to counsel juvenile probationers and to increase the quality and services offered by the local juvenile conference committees.

Diagnostic services providing evaluative information on adjudicated juveniles so that effective dispositions can be made will continue to be funded. The diagnostic service includes in its evaluation the educational, psychological, psychiatric and social background of the juvenile. Diagnosis may also be utilized for probationers under supervision and

residents of detention and shelter care facilities appropriately referred for such evaluation.

Diagnostic teams in Atlantic and Essex Counties were funded under the 1973 Plan and were continued with 1974 monies.

Funding considerations will be given to the following:

1. The establishment of a citizen volunteer program to assist probation officers in supervising those juvenile probationers who would benefit from this approach. Screening and training programs for the volunteers must be included as part of the application.

2. The establishment or expansion of programs that will coordinate the efforts of local juvenile conference committees and improve the services that they offer.

3. The establishment or expansion of diagnostic services for the juvenile court.

### **Subgrant Data:**

Up to five probation projects will be considered for continuation funding for the third year. Up to three new projects designed to improve services to the juvenile court will be funded.

Any project funded under the program area will be subject to programmatic modifications that may be necessary to be in conformity with State Supreme Court and Administrative Office of the Courts rules and guidelines.

### **Budget:**

	<b>LEAA</b>	<b>State, Local or Other</b>	<b>Percentage of State and Local Match</b>
Total Part C			
Block Support	\$350,000	\$38,889	10%

## **Program 7-5: Prosecutor's Office Management Improvement**

### **Objectives:**

To provide three county prosecutors with a professional management capability to increase the efficiency of their offices.

To establish policy guidelines and implement a system of prosecutorial case screening in three counties so that the public interest and justice is better served by early use of the prosecutor's discretionary authority.

To improve the work flow in the prosecutor's office by refining case evaluation earlier in the criminal justice process.

To reduce the detention time of persons accused of criminal activity by enabling the prosecutor to make speedier decisions regarding cases.

To provide prosecutorial interfacing with proposed pre-trial intervention programs.

### **Implementation:**

This program area is new in the 1975 Plan and has been developed in response to problems and priorities expressed by numerous State and local agencies. The National Advisory Commission on Criminal Justice Standards and Goals identified the need for prosecutors' offices to have the benefit of office managers to bear the responsibility of various non-legal tasks which must be performed in a large agency. Such an individual need not be an attorney.

Office managers could have the responsibility of

budgeting, supplies, personnel, equipment, record-keeping, facilities, security, clerical supervision, liaison with their counterparts in associated agencies, administration of special programs, compliance with Civil Service regulations and gathering of statistics. The prosecutor or assistant prosecutor could then devote all their efforts to the prosecution of cases. Guidelines for the position of office manager will be established by the Prosecutor's Supervisory Section of the Department of Law and Public Safety.

In instances where the defendant and nature of the crime do not pose a serious threat to the community, when the probability of conviction is slight and when alternatives to prosecution are available, the prosecutor may screen cases early in the proceeding in an effort to eliminate unnecessary processing. It is anticipated that prosecutors will assign an experienced assistant prosecutor to the municipal court level for this purpose.

In addition to increased office management services and the assignment of an assistant prosecutor to screen municipal court cases, a need for more refined case screening and evaluation is apparent. In response to this need, the creation of case screener and evaluator positions is recommended. Cases may be screened by a case screener to select pre-trial intervention candidates under Court Rule 3:28 and candidates for conditional discharge under the Controlled Dangerous Substance Act. Some

cases may qualify for administrative closing. In addition, an evaluator may recommend appropriate personnel assignments based on case priority and difficulty.

The case screener and evaluator could also assist in various pre-trial proceedings, insure completeness and accuracy of witness lists, check defendants' records, check bail information and develop case folders in addition to making recommendations for or against indictment or accusation.

The development of uniform guidelines, forms and procedures would be the responsibility of the Prosecutor's Supervisory Section of the Department of Law and Public Safety which would assist counties with on-going monitoring and evaluation of any project funded under this program area. Assistance in project design may be available through the National District Attorneys Association and/or the National Center for Prosecution Management.

**Subgrant Data:**

Endorsement of a project must be obtained by the applicant from the Prosecutor's Supervisory Section of the Division of Criminal Justice prior to funding consideration by the State Law Enforcement Planning Agency.

Awards up to \$25,000 will be made to Union, Camden and Passaic Counties for an office manager program.

Awards up to \$35,000 will be made to Hudson, Passaic and Camden Counties for a case screening and evaluation program.

**Budget:**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C			
Block Support	\$180,000	\$20,000	10%

**Program 7-6: Justice for Victims, Witnesses and Jurors**

**Objectives:**

To reduce waiting time for witnesses, jurors and victims.

To encourage witnesses and victims to testify in court by eliminating much of the personal inconvenience.

To examine the possibility of reducing the personal financial hardship to witnesses, jurors and victims incurred when they appear in court.

To provide necessary assistance to the public served by the court.

To provide accurate information to the public regarding all aspects of court operations.

**Implementation:**

This new program area is designed as a response to both the National Advisory Commission on Criminal Justice Standards and Goals recommendations and court administrators who expressed concern over the impact of a court proceeding on witnesses and victims. The program area is based on the assumption that if the public develops a favorable perception of the court—the court is more likely to receive support from the public.

Recent emphasis on crime reduction may have led some criminal justice agencies to overlook the importance of citizen involvement within the system. The needs and rights of victims, jurors and witnesses

tend to be ignored by the very system which exists for their protection. In fact, the possibility exists that a victim may be further "victimized" by the operation of the criminal justice system through the loss of time and wages. The hidden cost of a court appearance, for example, is usually borne by those who can least afford it; those in the low income group and particularly those who are paid on an hourly basis.

Trust and confidence in the "system" must be restored. This program area represents an initial effort to assure justice for those most seriously affected by the impact of crime.

Accessibility of accurate information concerning the court, and the public's status within this system, should serve to enhance the court's image. People are more likely to participate if they understand the proceedings and can obtain any additional information they require from a court representative who understands their situation, rather than from one who envisions the public inquiry as a burden.

Several approaches on a pilot project basis will be considered for funding:

1. A transportation service for witnesses and victims;
2. A nursery service for children of witnesses and victims;
3. A public information program that may be administered either through the media or through the establishment of an information office adjacent

to the court and staffed by para-legal personnel (handicapped persons, for example, may need more than usual services).

**Subgrant Data:**

Development of a grant application or applications will be with the concurrence and participation of the State Administrative Office of the Courts.

**Budget:**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C Block Support	\$200,000	\$22,223	10%

**Program 7-7: Development of Judicial Management Information Systems (JMIS)**

**Objectives:**

To identify data required for generation of comprehensive, reliable and timely court statistics, planning and research data and court management information on a statewide basis.

To maintain staff of the Administrative Office of the Courts for the expansion of the statewide JMIS, thereby reducing delay and congestion in the courts.

To continue the Appellate Division Information System.

To develop and implement a JMIS module for the Supreme Court.

To participate in the System for the Electronic Analysis and Retrieval of Criminal Histories (SEARCH) Judicial Information Systems project.

To interface the statewide JMIS with the various county projects, utilizing multi-purpose terminals permitting dial-up with computer assisted legal research programs.

**Implementation:**

Under the 1975 Plan, funds will be made available to the Administrative Office of the Courts to continue the development of the statewide JMIS. In 1974, \$450,000 were made available to various counties for the development and implementation of a JMIS at the county level. It is anticipated that those counties which participated in the program will continue with local funds and that these computerized subsystems will be integrated. In addition, the Administrative Office of the Courts also received \$170,000 in 1974 funds for the development of a statewide JMIS.

In 1973, \$700,000 were made available to nine counties for the development of county JMIS projects, \$300,000 were made available to Newark for the continuation of the Criminal Justice Information System and \$250,000 were made available to the

Administrative Office of the Courts for the development of the statewide JMIS. The 1971 and 1972 Plans continued the development of 1969 Agency-funded pilot projects.

Projects under this program area have supported the development of criminal caseload management information systems in ten trial courts as well as allocations to the Administrative Office of the Courts for a State-level trial court information system and have coordinated the development of the local JMIS program. By the end of 1974, seven local systems were fully operational with developed technologies. These systems are being duplicated in Burlington County and Union County at a nominal cost. The Appellate Division project, which was designed to relieve the major portion of the manual record-keeping, is scheduled to be operational by March, 1975. Manual operation could no longer produce the information necessary for effective appellate caseload management. Work has also commenced on a similar project for the New Jersey Supreme Court. The State-level systems are presently utilizing the New Jersey Criminal Justice Data Center in the Division of Systems and Communications, Department of Law and Public Safety for technical assistance. In addition, the Administrative Office of the Courts is a participating member of the Comprehensive Data System in New Jersey.

During the initial development of the JMIS program, criminal trial court systems were developed in nine of the 21 counties. The nine counties represent 80% of the statewide caseload of indictable offenses. The current JMIS program develops trial court information systems for caseload management, calendar management, allocation of resources, research and budgeting. Reliable statistics are required for filing and disposition, backlog, aging of cases, defendant status and disposition rates.

At the State level two projects were undertaken:

1. The study, development and implementation of an Appellate Court Management Information System designed to meet the operational and managerial needs of the court;

2. A pilot study of five counties, representative of the 21 counties, which included the defining of information requirements and the design concept of data collection from the counties to the Administrative Office of the Courts and the processing of information at the State level. The objective of this system was the improvement of court administration in the lower courts at the State level. This system when completed will serve as the nucleus to integrate the trial court systems into a statewide system which includes automated and non-automated counties. Project SEARCH objectives will be supplemented

with the activities funded under this program area.

Additionally, project personnel will make preliminary inquiries into automated legal research systems.

**Subgrant Data:**

The Administrative Office of the Courts will be the only eligible applicant for this program.

**Budget:**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C			
Block Support	\$275,000	\$30,556	10%

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## Program 7-8: Specialized Training of Court Professionals and Supporting Judiciary Personnel

**Objectives:**

To continue the Office of Judicial Education within the Administrative Office of the Courts.

To provide orientation seminars for all newly-appointed judges in the State.

To send at least 20 judges and other court personnel to the National College of the State Judiciary and to the National College of Juvenile Justice.

To develop and implement a training program to be attended by at least 50 municipal court personnel.

To continue probation officer training.

**Implementation:**

In 1973, \$100,604 were awarded to the Administrative Office of the Courts for the training of court professionals and supporting judiciary personnel. Expansion of training activities was supported in the 1974 Plan, and increased emphasis will be placed on municipal court personnel training under the 1975 Plan.

One phase of this program has supported the establishment of the Office of Judicial Education within the Administrative Office of the Courts to provide a comprehensive and continuing series of in and out-of-state seminars and courses of formal judicial education. Under the guidance of the Supreme Court Committee on Judicial Seminars, a series of educational programs has been developed in such areas as orientation of new judges and on-going educational courses through the National

College of the State Judiciary. Courses have been made available for court administrators, court reporters, interpreters, court clerks and other support personnel. These courses have covered the varied areas of court management as well as procedural and substantive aspects of the law both in the form of small seminars and courses such as those offered by the Institute for Court Management.

Consideration will be accorded to the development of in-State capabilities to train judges as an alternative to reliance on national training programs.

The second phase of this program is probation officers training which is administered by the Administrative Office of the Courts with the assistance of a grant of \$63,002 awarded in 1974. The program has included the following:

1. An orientation course for new probation officers;
2. A skills and methods course as a follow-up to the orientation course;
3. Guided group interaction labs;
4. Two five day courses in the principles of staff supervision for middle management personnel;
5. Other follow-up services in the areas of group counseling, supervisory training and management;
6. Scholarships to probation officers for non-credit college courses that are job related.

**Subgrant Data:**

The State Administrative Office of the Courts will

be the sole applicant. A probation officers training program funded in 1974 under the "Improvement of Probation Services" program area will be continued.

**Budget:**

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C			
Block Support	\$230,000	\$25,556	10%

**Program 7-9: Statewide Court Activities and Probation Improvements**

**Objectives:**

To continue to address specific problems of delay and backlog at all levels of the judicial process.

To provide for detailed studies supplying the Judiciary with needed data and to assist in providing the Judiciary with needed technical resources.

To continue research activities to improve the quality of services provided to probationers.

To study sentencing disparities.

**Implementation:**

Projects funded in the 1975 program area will continue to focus on the hiring and utilization of professional personnel in the court system.

This program first appeared in the 1972 Plan to support a variety of developments in court administration. The 1973 and 1974 Plans included expansion of 1972 activities. Major projects have already demonstrated their importance in dealing with New Jersey's caseload problems including: the Appellate Staff, Assistant Trial Court Administrator and Court Planning Service projects.

In 1975, a central, supplementary research staff of experienced attorneys will continue to assist in screening recurring appellate issues and shaping the records to aid the judicial decision-making process for the Appellate Division.

Another continuing activity within the Administrative Office of the Courts will be the Probation Research and Development project. Centralized studies in such areas as records management, space utilization, personnel management, juvenile conference committees and evaluations will be developed.

The Administrative Office of the Courts has created the positions of Coordinator of Volunteers and Coordinator of Diversion Programs. The Coordinator of Volunteers is responsible for promoting the use of lay persons in providing services to probationers. A recent New Jersey Supreme Court

directive requires a statewide use of volunteers in probation.

The Coordinator of Diversion Programs is responsible for planning and developing statewide diversion programs covering rehabilitation for minor offenders in such areas as drunkenness, vagrancy and non-support. He is also responsible for developing detoxification and after-care facilities and coordinating the expansion of juvenile conference committees. A bail service model will be developed.

The National Advisory Commission on Criminal Justice Standards and Goals has focused attention on the problem of sentence disparity. In a system where many separate courts are making sentencing decisions without an overall consistent review of sentencing practices, disparity seems all but inevitable. Sentence uniformity which retains appropriate flexibility is a matter of basic fairness.

Uneven sentencing has a serious effect throughout the system. Within the court system itself, appeals may be made challenging the conviction when actually an excessive sentence is the issue. Within the correctional community, the task of offender rehabilitation is made more difficult because of negative attitudes and resentment toward sometimes widely disparate sentences. Additionally, the public itself loses confidence in a system which does not deliver even-handed justice.

The Administrative Office of the Courts is aware of the need to continually improve the quality of justice in this regard. Funds will be provided to survey the problem in depth, adequately staff an office to develop criteria and ultimately develop an implementation strategy for uniform sentencing.

**Subgrant Data:**

The Administrative Office of the Courts is the only eligible applicant.

Funds will be made available for the following:

1. Continuation of the Appellate Staff Project — \$215,000

- 2. Coordinator of Volunteers and Coordinator of Diversion Programs — \$80,000
- 3. Study of sentence disparity — \$150,000
- 4. Continuation of Probation Research — \$140,000

**Budget:**

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C			
Block Support	\$585,000	\$65,000	10%

## Program 7-10: Support of Public Defender Services

**Objectives:**

To reduce court delay by increasing the capability of the Office of the Public Defender.

To reduce the Appellate backlog to less than ten months by the end of Fiscal Year 1975.

To reduce the caseload of defense attorneys to 150 adult or 200 juvenile delinquency cases.

**Implementation:**

The 1975 Plan will make available final year funding to provide the Office of the Public Defender with adequate staff to reduce caseload backlog through the remainder of State Fiscal Year 1975.

The 1974 Plan provided a grant of \$300,000 to provide salaries for attorneys, investigators and supportive clerical staff. Similar grants were also awarded in 1972 and 1973. This support resulted in a leveling backlog curve without sacrificing quality of work. A final grant award will be made during the 1975 Plan year so that the Office of the Public Defender can accomplish the program objectives.

The activities of the Office of the Public Defender program in the past three fiscal years have contributed to a reduction in court backlog. There were 13,627 cases pending plea or trial on June 30, 1972. This was reduced by eight percent to 12,531 by June 30, 1973.

The Appellate program realized a year of great productivity during 1974. As in the trial court program, a leveling of the backlog curve occurred since case dispositions exceeded case assignments, thus helping to reduce court delay. Such increases in dispositions are attributed to the fact that the Office of the Public Defender is currently disposing of

approximately 187 cases per defense attorney. However, the National Advisory Commission on Criminal Justice Standards and Goals promulgates a caseload of not more than 150 felony or 200 juvenile delinquency cases per defense counsel. Based on the percentage of adult and juvenile cases in the Office of the Public Defender, each staff attorney is carrying a greater caseload than the maximum number recommended. Therefore, any further reduction in court delay caused by the increasing backlog can only be achieved by increasing staff rather than by expanding already swollen caseloads.

During the past several years, the role of the Public Defender in the criminal justice system, as witnessed by the timely flow of cases through the courts and the continued leveling of the backlog situation, demonstrates the effective use of State Law Enforcement Planning Agency funds.

**Subgrant Data:**

The Office of the Public Defender, Department of the Public Advocate will be the only eligible applicant.

**Budget:**

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part C			
Block Support	\$500,000	\$55,556	10%

# 8. INSTITUTIONAL REHABILITATION

## Program 8-1: Local Correctional Institution Rehabilitative System Management and Service Delivery

### Objectives:

To assist 14 counties to develop and refine inmate rehabilitation systems based on programs sensitive to the needs of approximately 14,000 individual offenders either placed in custody pending court disposition or serving sentences as a result of court commitments.

To provide funds for the continuation of 12 projects and to award two additional grants to provide needed services for inmates.

### Implementation:

The development of a jail rehabilitation program, in addition to the introduction of social services, must also include the training of custodial staff, modernization of inmate management philosophy and techniques and improvement of the inmate classification and decision-making processes. Because of the urgency of providing certain vital service delivery programs presently lacking within county correctional facilities, the majority of initial grants have concentrated on providing these services, often at the expense of a more systematic approach. Since that time, however, emphasis has shifted to projects based on an assessment of needs according to a jail program model developed by State Law Enforcement Planning Agency staff. This assessment will continue and will be required of all applications for funds under the 1975 Plan. The following elements should therefore be considered as essential to an inmate rehabilitation program:

1. Expansion of the inmate classification system to provide a realistic decision-making resource for effective jail management. To accomplish this goal, the following needs must be met:

- a. Data must be gathered from external sources and from such internal reports as can be developed from interviews, testing and follow-up information required to update case records.
- b. A method of realistically assessing needs of the offender in terms of risk, psychological treatment, vocational and academic education and social adjustment must be developed. Such a decision-making structure may be

composed of a committee, team or unit but must be provided with procedures for balancing decisions relating to programming, custody, personal security and resource allocations of the institution.

- c. Decisions must be consistent with individual dignity and based on objective judgments. The offender should be provided maximum involvement in determining the nature and direction of the programmatic decision provided and a mechanism to appeal such decision.

2. A rehabilitation system should be developed and adequately staffed with provision for training in its use. A basic staff orientation program will be required that encompasses judicial decision-makers, staff of community support programs, institutional staff and the offenders—both detained and committed. Opportunity for staffing should be provided for experienced correctional personnel with advanced academic credentials to fill correctional counselor positions.

3. A bank of service delivery programs consisting of internally developed programs when necessary and referrals to community service delivery systems whenever possible should be established. Such programs must provide greater emphasis on involvement of the female offender both within the institution and in the pre-release work/study/family care approaches.

4. A method of evaluation should be designed that is sufficiently objective and quantifiable to provide data for research, model building and administrative decision-making.

The applicant is also advised that under the 1975 Plan local correctional staff training needs will be addressed in Program Area 8-3 "State Advisory and Training Services for Local Corrections" and that a more effective pre-release referral mechanism may be required in many jails to take advantage of the wide range of community treatment and manpower resources available under Program Area 6-3, "Development of Community Resource Systems for Treatment of Adult Drug and Alcohol Abuse Offenders" and Program Area 9-2, "Development of Community Resource Systems to Aid the Adult Offender."

Eight of the ten jail projects funded under the 1973 and 1974 Plans are currently operational. These projects are providing significant impact on county correctional efforts in terms of staffing, programs and the number of inmates served. Forty-nine professional persons have been added to institutional staff to fill new positions and in excess of 13,000 offenders have utilized one or more of the following program elements during the past year; individual and group therapy, counseling, vocational and academic education, recreation, pre-trial release, post-release job and community treatment program placements and assistance in resolving routine but nevertheless important problems such as applications for bail or public defender assistance.

An allocation of Part C block funds in the amount of \$450,000 was provided in the 1974 Plan for the continuation of eight operational programs and two new programs. As of September, 1974, grants totaling \$325,409 were awarded to the Counties of Atlantic, Hudson, Morris, Mercer and Union to continue jail programs. The allocation provides for continuation of the Camden, Monmouth and Middlesex County grants. Two new jurisdictions, Passaic and Salem Counties, have received awards utilizing the balances of the 1973 and 1974 program budgets.

### Subgrant Data:

The following subgrantees will be considered for fourth and final continuation funding up to the amounts indicated: Atlantic County, \$40,000; Hudson County, \$45,000; Monmouth County, \$30,000; Union County, \$55,000; Middlesex County (Workhouse), \$35,000 and Morris County, \$45,000.

The following subgrantees will be eligible for continuation funding based on evaluation of previous grants and effectiveness of program: Camden, Essex (Correctional Center and Jail), Mercer, Passaic and Salem Counties. Total funding in the amount of \$315,000 is provided for this category.

Two new projects are anticipated and allocated a total amount of \$100,000.

### Budget:

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C Block Support	\$665,000	\$73,889	10%

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## Program 8-2: Improvement of Detention and Shelter Care Practices

### Objectives:

To provide for a wide range of short-term supportive programs and services including recreation, education, cultural activities and informal counseling to a potential annual population of 6,500-7,000 juveniles temporarily held in detention and shelter care facilities pending court disposition.

To insure effectiveness of paid staff and volunteer supervision of juveniles in detention and shelter environments through training workshops and seminars.

### Implementation:

This program area has been expanded to reflect changes made in the State juvenile justice system through recently enacted legislation. On March 1, 1974 a revised juvenile code creating the category of Juveniles In Need of Supervision (JINS) went into effect. The law provides that only a juvenile charged with a "delinquent" offense, one that would be a

crime if committed by an adult, may be held in a physically restricting detention facility. Those juveniles charged with offenses only applicable to minors (JINS), such as incorrigibility and truancy, shall not be held in physically restricting facilities.

Because of the nature of the two types of temporary custody, somewhat different programming and services are appropriate within each type of facility.

The philosophy governing the concept of shelter care provides that the juvenile should be integrated into the local community to as great an extent as is feasible. Community education, recreation and cultural resources, therefore, may be utilized to a larger degree within the shelter care programs than within detention programs. Within both types of programs, the use of community volunteers is encouraged.

Long-term rehabilitation efforts are not appropriate within the context of detention or shelter care. Programs of this nature should be housed separately and

apart from any detention and shelter care facilities and are not fundable under this program area.

Grants from 1973 monies were utilized for professional staffing as well as educational and recreational programs within Atlantic, Cumberland, Essex, Middlesex and Passaic Counties.

The Atlantic County Harborfields Youth Center Professional Staffing grant was continued under the 1974 Plan and initial programs for education and volunteer services were begun in Gloucester and Camden Counties. It was also expected that under the 1974 Plan, Mercer and Union Counties would apply for continuation of juvenile shelter education programs and that Essex County would request funds to continue juvenile shelter education and recreation grants.

Funds will be made available for the continuation and initiation of detention and shelter care programs which demonstrate effective and innovative ap-

proaches to providing care for juveniles in temporary custody pending court disposition. The monies will go to both counties and State-level agencies to develop and implement such services.

### **Subgrant Data:**

Up to eight projects will be continued for second and third year funding. Two new detention center projects will be funded to upgrade staff and programming.

### **Budget:**

	<b>LEAA</b>	<b>State, Local or Other</b>	<b>Percentage of State and Local Match</b>
Total Part C Block Support	\$300,000	\$33,334	10%

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## **Program 8-3: State Advisory and Training Services for Local Corrections**

### **Objectives:**

**To provide expanded State inspection and technical assistance services for local correctional facilities and operations. Every local jail, penitentiary, workhouse, municipal lockup and juvenile detention center will receive an objective evaluation at least once a year.**

**To provide training services for a minimum of 400 line and supervisory correctional staff including a minimum of 80 hours of basic training for all new staff and a minimum of 40 hours advanced training for first line supervisory and experienced staff.**

**To upgrade and develop standards for local correctional operations.**

### **Implementation:**

The 1975 Plan reflects the recognition of the need to develop uniform statewide standards for local correctional rehabilitation programs, to classify and manage detained and sentenced offenders and to upgrade correctional facilities. Long range planning to achieve this objective was undertaken in 1974 through a Law Enforcement Assistance Administration (LEAA) discretionary grant funded to the New Jersey Department of Institutions and Agencies to develop a Correctional Master Plan (see Program Area 8-4 for implementation of the Master Plan).

Immediate needs for programmatic resources and classification decision-making are being addressed in Program Area 8-1 entitled, "Local Correctional Institution Rehabilitative System Management and Service Delivery."

The purpose of this 1975 program is to assist local corrections by providing inspection, evaluation, staff training and technical assistance services. An assessment of inspection reports will be made to assist local institutions in identifying specific problem areas and developing short-term attainable goals to improve correctional operations and practices.

The Division of Correction and Parole will continue a project entitled, "Expansion of Services to Counties" which was funded initially under the 1971 Plan and continued with 1973 funding. During these first two funding periods, the project consisted of a jail inspection team primarily interested in standards of health, safety, custody and facility construction. Funded in 1974 (\$26,008) under the "Correctional Advisory and Consultative Services" program area, the scope of inspection by the team was expanded to include a survey of rehabilitation programs and an assessment of staff training needs. Expanded reports are being provided on 27 county jails and workhouses and 17 juvenile detention facilities and will be utilized by the Division of Correction and Parole, local jurisdictions and the State Law Enforce-

ment Planning Agency for developing recommendations, programmatic review and update as well as for planning purposes. The 289 municipal lockups are not included in the expanded program but are receiving the regular inspection visits. The 1975 jail inspection team will continue essentially the same activities as provided under the 1974 grant but will focus on refinement of inspection and assessment services to maximize its advisory and resource value for agencies involved in the improvement of local corrections.

During the first two funding periods for the Correction Officers Training School, Division of Correction and Parole, training was offered to both State and county correctional personnel. Beginning July 1, 1974, the Division assumed the cost of training State personnel, and unexpended 1973 grant funds were devoted to an extension of the county personnel training portion of the grant. During the year ending June 30, 1974, a total of 106 State and 170 county correction officers participated in 23 three-week basic training cycles, 248 State and 43 county correction officers and line supervisors participated in 19 one-week advanced training cycles and 83 State and 14 county administrative staff participated in 37 specialized training courses. Additionally, an evaluation mechanism designed in cooperation with a private consulting firm has been substantially completed during the period.

Funds in the amount of \$63,000 are being provided in the 1974 Plan (Program Area 8-3) to continue the county training segment of the Division training school project in a substantially revised format.

Reacting to needs expressed by county correction-

al administrators, the Division is developing a 1974 training program that will provide support to local training efforts at selected institutions or regional training sites and also continue a portion of the Skillman in-residence program. The 1975 Plan will provide for a two-phased program, each phase consisting of a survey and assessment of training needs, updating of curriculum and formulation of a program plan, implementation of training and a follow-up and evaluation of the program. The services and reports of the jail inspection team are provided to assist in the initial survey and feedback functions.

Projects funded under this program area will be designed to promote, whenever possible, cooperative interaction between State and local jurisdictions in assessment and planning to upgrade local correctional standards.

### Subgrant Data:

The Division of Correction and Parole will be the only eligible applicant. Up to \$45,000 will be provided to continue the Expansion of Services to Counties project, and up to \$127,000 will be provided for continuing the Division's County Correction Officer Training program.

### Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part E			
Block Support	\$172,000	\$19,112	10%

## Program: 8-4: State Corrections Support Program

### Objectives:

To provide technical advice on project design, procedures in applications for funding and project report monitoring for the Division of Correction and Parole and the Garden State School District of the Department of Institutions and Agencies through the continuation of a correctional services staff project.

To provide legal assistance related to institutional adjustment committee proceedings.

### Implementation:

The rapid expansion in the volume and complexity of institutional programs in recent years has created

difficulties and deficiencies in institutional management of projects and programs. The need for short and long range planning is critical and acknowledged by correctional administrators. This program area will attempt to assist the Department of Institutions and Agencies in these problem areas.

Funded in 1973 from the "Expansion of Correctional Information System" program area and expanded in 1974, the correctional services project coordinator and his staff will continue to provide technical advice to Department personnel on project design, funding application procedures and project monitoring for approximately 35 grants. Presently housed within the Division of Correction and Parole, the range of responsibility of the coordinator's staff is being

expanded to also provide technical services to the Department of Institutions and Agencies, Garden State School District. Funding in the amount of \$38,740 was made available for this project under the 1974 program area "Correctional Advisory and Consultative Services."

There is an increasing legal sophistication required in the proceedings and dispositions of disciplinary cases within the prison and reformatory complexes. Legal review of procedures, training of adjustment committee members and advice in special instances should be provided in order that inmate rights are not violated in disciplinary hearings (*Wolff v. McDonnell* vs. Supreme Court 6/26/74). Funding will be provided in this program area for a pilot project entitled, "Legal Consultative Services for Institutional Adjustment Committees."

The new project funded under this program area is considered a "pilot" project and will require an

extensive evaluation. Continuation funding will be dependent upon the assessed value of the program and the availability of funds.

### Subgrant Data:

The Division of Correction and Parole, Department of Institutions and Agencies, will be the sole applicant. Monies will be used for final continuation funding of the Correctional Services Project Coordinator and a legal services to institutional adjustment committee proceedings project.

### Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part E Block Support	\$86,000	\$9,556	10%

## Program 8-5: State Correctional Education Programs

### Objectives:

**To provide each State correctional institution with a comprehensive program of individually prescribed education and training geared to the reintegration of the offender into the community.**

**To provide a system-wide, pre-vocational orientation and training program that will directly process a minimum of 600 offenders.**

**To implement an individualized learning approach program which was developed during 1974 to provide testing, evaluation and individualized instructional plans for a minimum of 800 offenders.**

### Implementation:

Former program areas entitled, "Vocational Preparation of Confined Offenders" and "Improvement of Academic Education in State Correctional Institutions" are consolidated in the 1975 Plan under this program area.

The major educational approach of the Department of Institutions and Agencies Garden State School District has been to provide a system-wide program of individualized diagnosis and prescribed instruction. Except for the Individualized Learning Approach (ILA) research and staff training project, the educational grants funded to date have been geared toward providing a resource base for the present program. Funds were provided in the amount of \$520,000 in 1974 to continue existing vocational

projects and to establish a pilot project for the community-based correctional centers. As of September, 1974, a total of \$379,020 was awarded to continue the following projects:

1. The Medical-Surgical Technician Vocational Training Program was designed to provide up to 60 inmates in three State prisons with saleable para-professional skills. Although this project has experienced some difficulties in professional staffing, a revised program will be considered for third year funding under the present Plan.

2. Two mobile trailers equipped for auto service mechanic and marine engine training were purchased and are presently on location providing an immediate solution for institutions realizing a need for vocational training in marketable skills and lacking adequate space. Training is provided for approximately 300 inmates a year.

3. The Vocational Careers Training Program at the Youth Correctional Institution, Bordentown, is currently operational and provides training for 250 inmates annually in four areas of skill (sheet metal, welding, painting and building trades).

4. Two grants were awarded to continue day vocational training shops for evening students. At Leesburg State Prison inmates assigned to the farm operation were transported to the Prison for training. At the Youth Correctional Institution, Annandale, existing Manpower Development and Training Act facilities were utilized for evening classes. Approxi-

mately 315 students received training at both institutions.

5. An innovative project at the Youth Correctional Institution, Annandale was continued to explore the vocational training potential of existing institutional maintenance personnel and vocational instructors basically responsible for the repair and upkeep of the institutional facility. A total of 177 inmates received on-the-job training in the informally structured program providing a model for expansion to system-wide implementation. The expanded program is considered for funding in the 1975 Plan.

6. A horticulture project funded to Leesburg State Prison did not become operational during the initial grant period and was not continued under the 1974 Plan.

7. A pilot project designed to provide expanded vocational services to residents of community-based centers through development of in-house staff capabilities or purchase of service contracts remains to be funded under the 1974 Plan. This project will be evaluated for possible expanded implementation under the 1975 program area.

Also included in the 1974 Plan was an allocation of \$262,800 to support the expansion and continuation of academic education projects. As of September, 1974, a total of \$113,814 was awarded for continuation of the following projects:

1. A project to establish individualized learning approach units at six State correctional facilities received continuation funding to implement methodologies provided by the research, assessment and staff training phase of the initial grant. The objective of this project was to involve at least 400 inmates in a course of instruction specifically designed for institutionalized offenders in communication and mathematics skills. The research portion of the project has been completed and the implementation phase will be continued under the present Plan.

2. Two of three projects designed to provide a viable non-graded, multi-media, multi-systems approach containing specialized materials and curricula received continuation funding under the 1974 Plan. These projects were located at the Yardville Youth Reception and Correction Center and the New Lisbon Satellite Unit of the Youth Correctional Institution, Bordentown. The third project, located at the Youth Correctional Institution, Annandale, did not become operationally effective during the initial grant period and will be relocated to the Correctional Institution for Women at Clinton to provide regionalized services for both institutions. As of September, 1974, a total of 358 inmates were assisted through the learning center programs. Part E 1974 funds will

be provided to continue the revised program at the Clinton facility.

3. Community involvement in a program to assist institutionalized offenders was increased in the youth correctional complex through the Volunteers in Correctional Education and Rehabilitation of Youth project based in the Yardville Youth Reception and Correction Center. A total of 208 volunteers were involved and approximately 500 inmates received assistance.

4. A personal improvement approach to improve motivation for learning through utilization of a token economy environment was continued at the Training School for Girls. The initial program funded under the 1974 Plan was limited to school activities. The 1974 approach was expanded to include the cottage life portion of the girls' environment. It is anticipated that an evaluation of the project will indicate its usefulness as a support methodology to the satellite programs presently under development. The 1974 Plan provided final funding for the project coinciding with the projected closing of the Training School during the fall of 1974.

5. The need for a statewide plan to provide direction for institutional utilization of services at a number of two-year and four-year colleges was addressed by the Master Plan for Higher Education project initially funded under the 1972 Plan. The Master Plan has been completed and is presently being assessed by the Department of Institutions and Agencies and the School District. No further funding from the 1975 Plan is anticipated for this project.

6. The libraries of New Jersey's correctional institutions were found to be drastically deficient in staff, texts, resource materials and audio-visual equipment to the extent that support of the educational program was negligible. To meet this need, the Library Services project was funded under the 1972 and 1974 Plans and will be continued under the 1975 Plan. The 1974 funded project focused on the training of offenders as audio-visual technicians with benefits both to the institutional population and as a marketable skill to the trained offender upon release.

7. A total of 25 interns received training in a comprehensive work-study effort conducted by the New Jersey Correctional Teacher Corps as part of the Masters program at Montclair State College. The goal of this project was to develop specific teaching methodologies geared to the correctional situation and to train intern teachers in their use. Block grant funds were provided under the 1972 Plan as match for an Urban Education Corps grant. Refunding was not included in the 1974 Plan.

The 1975 Plan reflects a consolidation of activities

funded under this program area. The focus of projects will be to improve the efficiency and effectiveness of educational decision-making on the part of both the educator and the student. Component projects receiving funding will complete a system of pre-testing vocational and academic areas, instruction and evaluation of the effectiveness of the educational activity.

Applications for funding or refunding under this program area must meet the following criteria:

1. Educational and training curricula must be developed with inmate involvement and include individualized and personalized programming.

2. Emphasis must be placed on social and coping skills as part of the curriculum, particularly consumer and family life education.

3. Each project must contain a current vocational needs assessment of the inmate population, a job market analysis of existing or emerging occupations and a job performance analysis which includes skills and knowledge needed to acquire the occupation.

### Subgrant Data:

Carry-over 1974 funds up to \$220,000 will be utilized for funding the following new projects; a

learning disabilities remediation project and a system-wide, pre-vocational training project.

Funds for continuation of the following projects will be made available up to the indicated amounts under the 1975 Plan: Bordentown Pre-Vocational Orientation Project (\$60,000), In-House Skills (\$100,000), Implementation of the Individualized Learning Approach (\$35,000), Medical-Surgical Technician Training Program (\$40,000) and the Audio-Visual Technician Training Program (\$45,000).

Other successful projects will be considered for refunding at present maintenance effort levels.

### Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part E			
Block Support	\$638,000	\$70,889	10%

1974 Carry-over funds totalling \$220,000 (Part E) will be provided, as indicated, to support the 1975 program.

## Program 8-6: State Correctional Treatment of Special Offender Types

### Objectives:

To provide an offender treatment service responsive to institutional needs and sensitive to the changing characteristics of special offender types such as drug addicts, alcoholics, recalcitrant offenders, geriatrics and emotionally disturbed offenders housed in State correctional institutions.

To provide treatment services for a minimum of 700 special offenders housed at Trenton, Rahway and Leesburg State Prisons.

To continue a special offender treatment team at the Correctional Institution for Women providing services for a minimum of 150 residents.

### Implementation:

The major approach for implementing treatment programs for special offenders in the 1974 Plan was to assist the Division of Correction and Parole in restructuring and combining the various treatment activities in the State correctional facilities into a

manageable system reactive to institution and offender needs. By decreasing the clinical staff-to-inmate ratio from 1:164 to 1:90 the program increased substantially the treatment capability of the correctional institutions. The program was expanded into a comprehensive effort to offer treatment opportunities for a greater range of inmate needs through the development of psychiatric and psychological therapy, social work, group and individual therapy, therapeutic communities and crisis intervention services.

The 1975 program will assist the Division of Correction and Parole by continuing the treatment approach provided in the 1974 program. Efforts to extend professional treatment services to a wide range of offenders having problems including drug abuse, alcohol abuse and emotional disturbances will be continued. The 1974 Plan provided funding totalling \$495,000 to develop four special offender treatment teams which serve Rahway, Trenton and Leesburg Prisons and other State correctional facili-

ties located at Bordentown, Jamesburg and Clinton. As of September 30, 1974 a total of \$429,938 was awarded to the following projects:

1. The Special Offenders' Treatment Team at the Correctional Institution for Women at Clinton was funded with \$75,538 of Part E funds to provide services for a minimum of 150 inmates. This project, directly under the supervision of the Director of Professional Services at the institution, has established a residential community within the institution for special offenders and has also provided services to other cottages of the institution including the recalcitrant inmates and the geriatric male inmates now housed at Clinton. Presently under development is a proposal for an extended program of pre-release support services including vocational counseling and orientation, social adjustment, job placement and referral to community resources. (See Program Areas 6-3 and 9-2 for community resource programs.) Funding for the re-entry proposal will be provided utilizing carry-over 1974 funds. The treatment team will be considered for continuation funding under the 1975 special offender program area.

2. The drug offender treatment team at the Youth Correctional Center, Bordentown and the Training School for Boys, Jamesburg is a combined effort designed to provide services to a minimum of 250 inmates at the two youth facilities. The program was funded with \$153,864 of 1974 funds. The project concentrates primarily on offenders with drug-related problems and has established a treatment tier at Bordentown which houses approximately 40 inmates. The activity on the tier is based on the residential treatment community concept which involves a separately structured residence offering individual and group counseling, peer pressure groups and weekend marathon groups. The Bordentown program has extended services to approximately 180 inmates. The coordinator works closely with the Director of Professional Services at each institution, and the staff of the program provides input for the classification committee and custody control meetings.

3. Carry-over 1973 funds totalling \$275,098 were granted to the Trenton, Rahway and Leesburg State Prisons' treatment teams and to the Division of Correction and Parole team coordinator. This program provides treatment services to a minimum of 500 offenders at the three State prisons. Among the services offered is a therapeutic community in one of the housing units at Leesburg State Prison which provides 24-hour counseling and support services on a daily basis to 50 inmates who are drug abusers. The team has been responding to 15-20 referrals per month with crisis intervention counseling services.

At Trenton State Prison, the team has initiated an orientation program for newly-received inmates. During the six-month period prior to September, 1974, a total of 653 inmates participated in this program. Family counseling was also initiated at Trenton State Prison. The treatment professionals funded by this project provided over 12,278 treatment contact hours to inmates of the three prisons.

In order to implement sound administration reflective of institutional needs, the team leader works as an assistant to the Director of Professional Services in each institution. The treatment team grant consolidated previous separate treatment projects at Leesburg, Trenton and Rahway and assisted the coordinator of special offender projects at the Division. As a result of the consolidation, the groundwork has been laid for effective administration of, and increased services to, offenders in State correctional facilities. Carry-over 1974 monies totalling \$96,285 will fund the program for a three and one-half month interim period to June 30, 1975. The program will be considered for refunding under the 1975 Plan.

The following elements are considered essential for a comprehensive treatment approach:

1. Each treatment team leader should act as an assistant to the Director of Professional Services at the respective institution;

2. A clearly defined program for each special offender should be developed based on professional diagnostic team evaluation, current needs assessment and the resources available;

3. Provisions for inmates who are segregated due to severe behavioral problems should be made;

4. Specially trained and qualified personnel should be utilized as trained officer counselors in the custodial function of the treatment environment;

5. Paraprofessionals, treatment assistants and institutional staff should be utilized to implement treatment programs;

6. Emphasis should be placed on the referral of the released or paroled offender to community treatment programs. (See Program Area 6-3)

### **Subgrant Data:**

Of the \$495,000 Part E funds allocated in the 1974 Plan to the "Treatment of Special Offender Types in State Correctional Institutions" program area, \$169,313 were not subgranted and will be used as carry-over funding to support this program area.

Funds will be provided to continue the special offender treatment programs at the State prisons and at the Correctional Institution for Women at Clinton.

**Budget:**

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part E			
Block Support	\$355,000	\$39,445	10%

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## 9. NON-INSTITUTIONAL REHABILITATION

### Program 9-1: Development of Community Resource Systems to Aid the Adult Offender

**Objectives:**

To provide adult offender assistance resource systems in local jurisdictions to support rehabilitative referral programs in criminal justice agencies.

To develop four vocational service center projects located in jurisdictions containing high offender populations.

To continue existing projects that are integral components in the development of community resource systems.

To fund two vocational adjustment center programs.

To continue to make available to the Administrative Office of the Courts, funds to provide for the purchase of special services which otherwise would be unavailable to probationers in times of emergency.

**Implementation:**

This 1975 program area will concentrate on the development of efficient and effective usage of community resources to support court, probation, parole and local correctional programs. The increased use of mechanisms that permit pre-trial release, probation and institutional pre-release for selected defendants and offenders has created a need for service delivery systems in which input, processing and output can be measured and evaluated both programmatically and on a per capita cost basis. Projects funded under previous plans have provided a wide assortment of offender assistance services such as probation job banks, vocational service centers operating under the aegis of the courts, probation and private agencies and institutional pre-

release programs for employment and education. Evaluation of the effectiveness of such fragmented service delivery is impossible as the offender, in many cases, travels a route of duplication in interviewing, testing, screening and placement. Fiscally, the problem of new staff positions performing duplicative service functions adds to the tax burden when the costs of the projects are assumed by local jurisdictions. Based on a vocational service center model prepared by Agency staff from experience gained from projects in Hudson, Middlesex and Bergen Counties as well as in Newark, four new projects will receive 1975 funding from this program area.

The 1974 Plan allocated funds of \$25,000 to provide for the purchase of specialized services at times of critical probationer need. An emergency fund was maintained by the Administrative Office of the Courts and was made available to county probation departments to purchase urgently needed services which otherwise would be unobtainable for probationers.

Additional 1974 funds totalling \$450,000 were allocated to fund manpower-related projects. As of September, 1974, a total of \$355,299 was subgranted. The remaining \$94,701 will be utilized for interim funding of pre-trial intervention projects until June 30, 1975. The projects referred to below were subgranted.

The Middlesex Anti-Recidivism project received a final grant in the amount of \$133,618 to expand employment, counseling and residential services to offender clients referred from the county workhouse, probation department and, upon release, from State adult institutions. The design of the project, operated by the Morrow Projects of the

New Jersey Association on Correction, features the use of on-loan personnel from the county probation department and the New Jersey State Employment Service to augment project staff. During the present grant period a certain percentage of the residential center will be allocated for use as a pre-release facility for federal, State and county offenders. The project also plans to include women as residents in the center rather than in neighborhood rooms as females previously enrolled in the program have been placed.

The Hudson County Vocational Service Center was originally funded from U.S. Department of Labor (DOL) funds administered by the New Jersey Manpower Corrections Program, a unit under the aegis of the State Law Enforcement Planning Agency. The DOL funding expired on December 31, 1973 and interim grants from the 1973 Plan totalling \$31,013 and under the 1974 Plan for \$22,500 extended the project to November, 1974. Additional DOL funds provided under Title II of the Comprehensive Employment and Training Act are being used to continue the project. State Law Enforcement Planning Agency funds will be available for partial funding of the project.

The Hudson County Vocational Service Center has administered some form of employment services to more than 750 clients since its inception. Client referrals to the Center have come from the following agencies; the parole department, the Parole Resource Office Orientation Facility, Hudson County Penitentiary, probation department, New Jersey State Division of Vocational Rehabilitation, Hudson County Pre-trial Intervention Project, Patrick House drug program and the Jersey City alcohol project. Working relationships and on-going cooperative integration of services including the development of on-loan staff is being established between the Center and the above-mentioned agencies. This organizational mechanism will provide centralization of job development and other offender assistance activities. Finally, to assist the employment effort, the addition of a testing and work orientation component specifically designed to meet the needs of the client provides testing and training that can enable the client to function adequately in a job interview. This process takes approximately two and one half hours and provides the Center with a professional vocational counseling capability.

The remaining grants funded under the 1974 Plan established pre-trial intervention programs for Bergen and Mercer Counties. (Specific information relating to these grants may be found in Program Area 7-3 of the Plan).

Grants that received interim funding to June 30, 1975 under the 1974 Non-Institutional Programs for

Adult Offenders program area included the pre-trial intervention project in Hudson County and the Newark Defendants' Employment Project liaison grant to the Essex County Prosecutor's Office. Continued funding will be at a reduced rate based on remaining funds in the program area.

A grant funded under the 1973 Improvement of Probation Services program area for \$20,062 continued operation of the Bergen County Job Bank which also received continuation funding under the 1974 Plan. It is anticipated that the project will be expanded to conform with the vocational service center model and will receive continuation funding under this program area.

The Hudson County Vocational Adjustment Center project funded under the 1974 Plan is considered for refunding under this program area. The Center, implemented by the Community Drug Program of Hudson County, received continuation funding of \$29,998 to provide a program of vocational evaluation, on-the-job training, placement and follow-up services for ex-drug users. Emphasis is placed on acquiring work habits and skills. As of June, 1974, the Center provided treatment services to more than 225 clients and placed approximately 80% of these clients into formal training programs.

### Subgrant Data:

Funds will be provided for four vocational service center projects in jurisdictions containing high adult offender populations that can demonstrate an ability to centralize resources for all criminal justice referrals. Such resource centers will utilize on-loan personnel from referral agencies and will be provided with purchase of service funds to assist the offender when such necessary services are not available from other sources.

Funds will be provided for continuation and new projects that provide services necessary to assist the adult offender and are not duplicative of existing community or State resources.

Two vocational adjustment centers will be eligible for grants. Funds in an amount up to \$25,000 will be made available to the Administrative Office of the Courts to continue to provide for the purchase of specialized services for probationers in emergency situations.

### Budget:

	LEAA	State, Local or Other	Percentage of State and Local Match
Total Part C			
Block Support	\$1,082,000	\$120,223	10%

## Program 9-2: State Community Services Facilities and Programs

### Objectives:

To continue the Paterson and Union County Juvenile Residential Centers in an effort to serve a minimum of 300 court-referred juveniles.

To continue the Adult Pre-release Service Center in Essex County for approximately 200 inmates from State correctional institutions.

To purchase services for 100 male and female offenders within community residential programs. (See Program Area 9-1).

To provide support services to the offender through a system of referral to and purchase of community resources. (See Program Area 9-1).

### Implementation:

Previous funding efforts within the community-based correctional area have concentrated on establishing and operating juvenile and adult centers. Although two juvenile centers and an adult service center will receive continued funding, new emphasis is being placed on purchasing the services of residential and non-residential community resource programs. Referral mechanisms to these community resources will exist within the various State correctional facilities. The centers will also be provided with educational resources through Program Area 8-5, "State Correctional Education Programs."

The community-based correctional area has received Part E block support totalling \$500,000 in 1973 and \$316,250 under the 1974 Plan under the "Community-Based Correctional Center" program area. During the year ending June 30, 1974, the following projects were funded from 1973 and 1974 allocations: juvenile residential treatment centers in Union, Passaic and Camden Counties; adult residential centers in Essex and Hudson-Union Counties and the Coordinator of Community-Based Programs. The Hudson-Union Center grant was not implemented and the funds originally programmed for that purpose were diverted to the continuation of the Essex and Camden County centers. The cost of operating the Camden Center was assumed by the State on July 5, 1974. Remaining 1974 funds were used to continue the Essex and Union County facilities to June 30, 1975. The Paterson Center has also received continuation funding to June 30, 1975.

The following activities are in operation within existing centers:

1. Residential settings for work release, educational and vocational training release, furlough release and release for referral to appropriate com-

munity service agencies for out-patient medical, dental, psychological and various other treatment services

2. In-house individual counseling and casework services

3. Guided group interaction programs

4. Guidance counseling, vocational guidance, job development and job referrals

5. Family counseling and guidance

6. A "hot-line" service for parolees, ex-inmates and their families in time of crisis

7. "Half-way out" pre-release testing for inmates who need a more highly structured program than routine parole supervision

8. Staffing by officer-counseling personnel

9. A remedial and tutorial education program for juveniles operating in close liaison with regular school programs

10. Parental and family participation within the treatment programs for juveniles. The participation built in for parents includes serving as counseling, teacher and recreational aides.

During the year ending June 30, 1974, 70 juvenile and 65 adult offenders benefited from the various residential programs, with 146 juveniles additionally participating on a non-residential basis. These numbers will increase in the future since residential programs were delayed by purchase and renovation of facilities. The Essex County Center accepted its first resident on September 4, 1973 and the Union County Center on June 12, 1974. The Paterson Center anticipates residents by January 1, 1975.

### Subgrant Data:

The Division of Correction and Parole is the only eligible applicant.

Funds will be provided in this Plan for continuing the Paterson and Union County Juvenile Treatment Centers. The Adult Pre-Release Service Center in Essex County will also be continued with 1975 funds.

Additionally, community resources will be made available to offenders through purchase of service arrangements.

### Budget:

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part E			
Block Support	\$540,000	\$60,000	10%

## **Program 9-3: Improvement of Parole Case Management**

### **Objectives:**

**To provide the parole officer with an expanded range of client-centered resources for more effective case supervision.**

**To provide the Bureau of Parole District Offices with community resource specialists having the responsibility of assisting the parole officer in case resource management and administering both emergency mini-grants and the educational and/or vocational training grant program.**

**To provide basic emergency support such as food, clothing and dental, medical, psychiatric and psychological services to 250 offenders who have served their maximum sentences (max cases).**

**To continue the juvenile parole program under the supervision of the Division of Youth and Family Services.**

**To continue the Parole Board Revocation Hearing Project.**

### **Implementation:**

Previous projects funded within this program area concentrated on parolees with specific supervision problems such as a history of drug abuse. Exceptions were the projects that provided counsel for final parole revocation hearings, the assistance program for "max" cases and a parolee counseling project.

The parole officer has traditionally been faced with a problem of limited resources in the performance of his/her duties and has therefore not achieved full potential in the area of offender rehabilitation. The 1975 program will increase the depth and range of services the parole officer can use to assist the client.

Provision will be made for the establishment of community resource specialists within selected parole offices. Recruitment of senior parole officers from the existing staff of the Special Parole Project of the Specialized Treatment Caseload Section may be considered to fill the positions. Such specialists would be responsible for assisting parole officers in obtaining meaningful employment for their clients by acting as liaison with community resource agencies, administering emergency mini-grants and purchasing services for academic and vocational training of parolees. To insure the specialists' effectiveness as resource persons, they will not be assigned caseloads nor will they be responsible for caseload supervision.

To support the resource needs of the Bureau of Parole, funds will be made available to the Bureau

to pay tuition and/or related necessary equipment costs such as tools and texts and to provide for mini-grants to assist parolees in emergency situations. Assistance to parolees from this grant is to be provided only when funds from other sources are not available and will be evaluated on a needs basis.

Allocations in the 1974 Plan included Part C funds in the amount of \$180,000 and an additional \$108,000 of Part E funds for this program area. The Specialized Treatment Caseloads and the Re-orientation Community Process (max caseloads) continuation grants were consolidated into one project to reduce administrative costs. The project received funding in the total amount of \$212,651 (Part E—\$55,151 and Part C—\$157,500). Of the two component parts of the project, the Specialized Drug Treatment Caseloads Project has been operational in the Bureau of Parole's nine district offices since June, 1973 and has provided a variety of services such as counseling, employment assistance and drug testing to the 180 parolees with drug abuse histories assigned to the program. Additional programmatic objectives provided for the upgrading of counseling and parolee assistance skills of the assigned parole officers and the development of a resource for training and regular parole staff.

The Specialized Drug Treatment Caseload Project will not be refunded in the 1975 Plan-but it is anticipated that the staff will be utilized as a resource pool for recruitment for the community resource specialist positions.

The Re-orientation Community Process project was continued as the second component of the Special Parole Project to provide basic emergency services to all "max cases." Prior to the inception of this program, the Bureau of Parole had no provisions for providing assistance to this client group. In excess of 130 clients received assistance during the duration of the initial project. The 1975 program provides for continuation of this project.

An experimental project entitled, "Final Parole Revocation Hearing" received continuation funding of \$52,848 of Part E 1974 monies to comply with a United States Supreme Court decision in the case of *Morrissey v. Brewer*, 408 U.S. 471 which mandated that a final parole revocation hearing process be established to "give assurance that the finding of a parole violation is based on verified facts to support the revocation." The goal of the program is to enable all indigent parole violators to have necessary legal and investigative assistance provided by counsel from the Public Defender's Office. During the first

eight months of operation a total of 84 case files were opened, 49 hearings were held and 39 parolees were provided counsel financed by the project. Consideration for refunding will be based on the evaluation of the first full year's operation.

The New Jersey Volunteers in Parole Program (VIPPP) is jointly sponsored by the Bureau of Parole and the State Bar Association. The purpose of the project is to recruit and assign volunteers from the legal community to work with parolees on a one-to-one basis. Since the program was initiated in 1972, in excess of 450 attorney volunteers have been recruited and approximately 350 of the attorneys have received training and were assigned to clients. Policy direction for the project is provided by the New Jersey State Bar Association's Committee on Correctional Reform and technical assistance has been provided by the American Bar Association's Commission on Correctional Facilities and Services. Funding for this project will be assumed by the State in 1975.

A demonstration project funded to the Division of Youth and Family Services for \$38,148 of Part E 1973 monies will be considered for continuation funding in this program area. Prior to the inception of this project, the Division of Youth and Family Services had no special caseload for juvenile parolees. All parole cases were placed on general supervision along with a wide variety of child welfare cases. The Division case workers were not able to become involved in the cases of juveniles committed to the Training School Complex until late in their stay at

these facilities, nor did they have the resources to develop programs or activities for the juvenile parolees. The project was limited to servicing all clients from Hudson County released from a correctional facility before their sixteenth birthday. The demonstration project will provide evaluative information to determine whether or not a social service-oriented parole program is able to handle the more difficult 14-16 year old parolees who are currently supervised by the Bureau of Parole. The objective of the project is to provide family counseling and related social services to a caseload of 100 parolees during institutionalization and to continue services upon their release to the community.

**Subgrant Data:**

The Division of Correction and Parole and Division of Youth and Family Services of the Department of Institutions and Agencies are the only eligible applicants.

**Budget:**

	LEAA	State, Local or Other	Percentage of State or Local Match
Total Part E			
Block Support	\$175,000	\$19,445	10%
Total Part C			
Block Support	<u>180,000</u>	<u>20,000</u>	10%
Program Total	<u>\$355,000</u>	<u>\$39,445</u>	

# SLEPA FORMS IN USE

SLEPA Form #	Title	Use
101	GRANT APPLICATION (submit 4 copies with original signatures)	Applicants use to request a grant for any project.
102	RESOLUTION FORM (submit 2 certified copies with original signatures)	Applicant unit of local government must pass resolution in this form and submit with application.
103	SUBGRANT AWARD (Both copies must be returned after being signed)	Contract form executed by SLEPA and mailed to subgrantee for signatures.
104	NOTICE OF APPEAL (Complete one copy and return to SLEPA)	Provided to an applicant who wishes to appeal a denial for funding.
105	INDIVIDUAL TIME AND SALARY REPORT (Kept on file by subgrantee per instructions)	Provided to subgrantee upon request for use.
106	QUARTERLY NARRATIVE REPORT (submit 2 copies)	To be used by subgrantees when reporting project activities.
107	DETAILED COST STATEMENT, CASH REPORT, CASH REQUEST (Combined form. Submit in triplicate with original signatures)	1. Cash Request section is completed to obtain initial cash to begin project. 2. Succeeding periods, per instructions, all three sections must be completed.
108	BUDGET REVISION/GRANT EXTENSION REQUEST (Submit in triplicate with original signatures)	To be used by subgrantees when requesting budgetary changes between categories in the amount of \$100 or more and/or when requesting extension of the project beyond the approved grant period.
109	CONSULTANT REPORTING FORM (submit 2 copies)	To be completed by subgrantees prior to engaging the services of a consultant.

**STATE OF NEW JERSEY  
STATE LAW ENFORCEMENT PLANNING AGENCY**

**GRANT APPLICATION**

(UNDER PUBLIC LAW 90-351 AS AMENDED)

**Four copies required with original signatures**

**For SLEPA Use Only**

PROJECT NUMBER	DATE RECEIVED
FUNDING SECTION NUMBER	SUBGRANT PERIOD
GRANT NUMBER	DATE APPROVED

**SECTION A**

- Type of Grant  Planning  Action
- Type of Application  Initial  Revision of Grant or Project # \_\_\_\_\_  Continuation of Grant # \_\_\_\_\_
- Short, Descriptive Project Title \_\_\_\_\_
- Applicant Unit of Government \_\_\_\_\_  
(STATE AGENCY, COUNTY OR MUNICIPALITY)
- Implementing Agency \_\_\_\_\_
- Project Address \_\_\_\_\_
- Project Duration From \_\_\_\_\_ To \_\_\_\_\_  
(REQUESTED STARTING AND CONCLUDING DATES)
- Program Area (Number and Title) \_\_\_\_\_  
(FOR ACTION GRANTS ONLY)
- SLEPA Plan year under which this application is being made: 19\_\_\_\_.
- Project Director  
Name \_\_\_\_\_ Title \_\_\_\_\_
- Contact Person (Person directly responsible for project operations)  
Name \_\_\_\_\_ Title \_\_\_\_\_  
Address \_\_\_\_\_ Telephone Number \_\_\_\_\_
- Financial Officer of Unit of Government (if other, specify)  
Name \_\_\_\_\_ Title \_\_\_\_\_  
Address \_\_\_\_\_ Telephone Number \_\_\_\_\_
- Description of Project (describe in detail on ATTACHMENT ONE)
- Budget (see instructions – provide itemization as called for on ATTACHMENT TWO)

TOTAL BUDGET COSTS SUMMARY			SLEPA Approved	
Source of Funds	%	Amount	%	Amount
SLEPA (Federal)				
State Buy-In				
State, local required cash				
<b>TOTAL</b>	<b>100%</b>		<b>100%</b>	

- Estimate below the amount of SLEPA funds which will be required to continue this project for the next two years. (This assumes a satisfactory evaluation and that funds will be available and should not be construed as a commitment for future funding).  
  
1st continuation \$ \_\_\_\_\_  
2nd continuation \$ \_\_\_\_\_

**SLEPA Budget Approval:** \_\_\_\_\_

## INSTRUCTIONS

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Each of the following attachments must be included as part of the application: (Note: If this is not an initial application for this project, refer to the continuation application information at the bottom of this page before proceeding).

### ATTACHMENT ONE: Description of Project

Each of the following sections must be included as part of this attachment:

- |                       |   |
|-----------------------|---|
| A. The Problem        | G. Brief Personnel Biographies or<br>Job Specifications |
| B. Goals              | H. Participating Agencies                               |
| C. Objectives         | I. Project Evaluation                                   |
| D. Project Activities | J. Alternative Methods                                  |
| E. Project Management | K. Assumption of Costs                                  |
| F. Personnel          | L. Civil Rights Compliance                              |

### ATTACHMENT TWO: Budget Detail/Budget Explanation

### ATTACHMENT THREE: Non-Supplanting Certification

### ATTACHMENT FOUR: Negative Environmental Impact Statement

REFER TO THE CURRENT APPLICANTS GUIDE FOR DETAILED INSTRUCTIONS OUTLINING THE COMPLETION OF ATTACHMENTS ONE AND TWO ABOVE. INSTRUCTIONS FOR ATTACHMENTS THREE AND FOUR ARE CONTAINED WITHIN THIS APPLICATION AND CAN BE FOUND ON EACH RESPECTIVE ATTACHMENT.

**CONTINUATION APPLICATION.** In the case of a continuation application, the applicant must present an overview of the activities funded with the previous year's grant, and an assessment of project results supported by data. This overview should be developed in line with the stated goals and objectives of the previous project, and should be presented in addition to each of the Attachments referred to above. Continuation applications should be submitted approximately three months prior to expiration of the preceding project.

Applicant \_\_\_\_\_

**ATTACHMENT TWO**

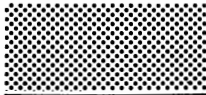
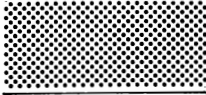
**SECTION A – ITEM 14. BUDGET DETAIL (Estimate)  
WHOLE DOLLARS ONLY**

COST ELEMENT			SLEPA (FEDERAL) SHARE	REQUIRED HARD CASH MATCH		PROJECT TOTAL
				STATE BUY-IN PROVISION	STATE/LOCAL CASH	
A. Salaries and Wages						
1. Regular criminal justice personnel:						
Position	% of time	Current Annual Salary				
2. All other staff:						
Position	% of time	Current Annual Salary				
Sub-Total Salaries			\$ _____	\$ _____	\$ _____	\$ _____
Fringe Benefits (Detail in Budget Explanation)			\$ _____	\$ _____	\$ _____	\$ _____
Total Salaries			\$ _____	\$ _____	\$ _____	\$ _____



**ATTACHMENT TWO (Continued)**

**SECTION A – ITEM 14. BUDGET DETAIL (Estimate)  
WHOLE DOLLARS ONLY**

COST ELEMENT	SLEPA (FEDERAL) SHARE	REQUIRED HARD CASH MATCH		PROJECT TOTAL
		STATE BUY-IN PROVISION	STATE/LOCAL CASH	
D. Consumable Supplies, Postage, Printing, Etc. (Itemize)				
Total Consumable Supplies	\$ _____	\$ _____	\$ _____	\$ _____
E. Facilities, Office Space, Utilities, Equipment Rental (Itemize)				
Total Facilities	\$ _____	\$ _____	\$ _____	\$ _____
F. Equipment (Itemize)				
Total Equipment	\$ _____	\$ _____	\$ _____	\$ _____
G. Indirect Costs				
Total Indirect	\$ 	\$ 	\$ _____	\$ _____
Total Project Costs	\$ _____	\$ _____	\$ _____	\$ _____

ATTACHMENT THREE

INSTRUCTIONS

Federal regulations require certification to the effect that federal funds have been used to increase State or local funds that would, in the absence of such federal aid, be made available for law enforcement and criminal justice. Certifications are required at the commencement and conclusion of the grant period.

- (1) Insert in the first blank in the body of the text, the title of the certifying body or individual, for example (Freeholder-Director of Mercer County) (Mayor of Trenton) (Commissioner, Department of Health)
(2) Insert the dates of the grant period in the second set of blanks.
(3) Check the appropriate boxes, "two", "three", "four", or "five" years, depending upon the length of the averaging period selected by the subgrantee.

Where the certification cannot be made and there is a projected or actual, reduced, or unchanged local investment in law enforcement and criminal justice, enter in the space provided on the form an explanation demonstrating that the subgrantee's reduced or unchanged commitment would have been necessitated even if federal financial support under Title I of the Act had not been made available.

Subgrantee records in support of the certification should contain estimates of total funds annually made available for law enforcement and criminal justice for the year of certification and the years used to determine average annual increment. These records should identify the source or basis of such estimates.

Where subgrantees are "combinations of local units" certifications should cover the combined law enforcement and criminal justice expenditures of the participating units.

NON-SUPPLANTING CERTIFICATION

The \_\_\_\_\_ herewith certifies that federal funds will be used to increase State and/or local funds that would, in the absence of such federal aid, be made available for law enforcement and administration of criminal justice, and that expenditures for law enforcement and administration of criminal justice, for the period \_\_\_\_\_ to \_\_\_\_\_ will be or were at least as great as for the preceding year plus the average annual increment in such expenditures for the past ( ) two ( ) three ( ) four ( ) five years.

(Detail below the prior annual expenditures and the current budgeted amounts for law enforcement and administration of criminal justice. Use the number of base years checked above)

- 19 \_\_\_\_\_ \$ \_\_\_\_\_
19 \_\_\_\_\_ \$ \_\_\_\_\_
19 \_\_\_\_\_ \$ \_\_\_\_\_
19 \_\_\_\_\_ \$ \_\_\_\_\_
19 \_\_\_\_\_ \$ \_\_\_\_\_

SIGNATURE OF CHIEF EXECUTIVE OFFICER/STATE AGENCY HEAD ON PAGE 101.12 "APPLICATION AUTHORIZATION" CONSTITUTES CERTIFICATION OF THE ACCURACY AND CORRECTNESS OF THE ABOVE INFORMATION.

**ATTACHMENT FOUR**

**STATE OF NEW JERSEY  
STATE LAW ENFORCEMENT PLANNING AGENCY**

**NEGATIVE ENVIRONMENTAL IMPACT STATEMENT**

The National Environmental Policy Act of 1969 Section 102 (2) (c) (P.L. 91-190) and Guidelines issued by the Council on Environmental Quality (CEQ) require that prior to "major Federal actions" significantly affecting the quality of the human environment an assessment of environmental consequences shall be made in the form of an environmental statement.

In compliance with NEPA and CEQ regulations and in an effort to measure the environmental impact of all potential subgrants, the New Jersey State Law Enforcement Planning Agency is requiring each applicant to submit, together with the original application, a Negative Impact Statement.

In preparing the Negative Impact Statement, the applicant should present responses in sufficient detail to indicate a valid assessment of all known possible environmental consequences of the proposed action. Particularly detailed environmental assessments should accompany those applications involving (1) the construction, renovation, or modification of facilities, (2) the use of herbicides and pesticides, and (3) the utilization of community-based residential centers. (Simple "No" answers are not acceptable.)

The following questions should be answered and forwarded to the State Law Enforcement Planning Agency as part of the grant application. (Add additional pages if needed.)

Project Title: \_\_\_\_\_  
\_\_\_\_\_

1. Will the project lead to a significant increase in air pollution?
  
  
  
  
  
  
  
  
  
  
2. Will the project lead to a significant increase in water pollution?
  
  
  
  
  
  
  
  
  
  
3. Will the project lead to a significant increase in the ambient noise level for a substantial number of people?
  
  
  
  
  
  
  
  
  
  
4. Will the project lead to poor land use, soil erosion or soil pollution?
  
  
  
  
  
  
  
  
  
  
5. Will the project destroy or derogate from an important recreation area?



## SECTION B

Conditions Applicable to Grants Awarded Under Parts B, C, and E of Title I, P.L. 90-351 as amended by Title I, P.L. 93-83.

### 1. General Administrative Conditions:

a. It is expressly agreed that this project will meet the requirements of the Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351, Stat. 197) as amended by the Crime Control Act of 1973 (P.L. 93-83, 87 Stat. 197) hereafter referred to as the Act, and all administrative regulations established by the Federal Law Enforcement Assistance Administration (LEAA) and the New Jersey State Law Enforcement Planning Agency (SLEPA).

b. The subgrant award shall be subject to and will be administered in conformity with the (i) General Conditions Applicable to Administration of Grants under the Act, (ii) Conditions Applicable to the Fiscal Administration of Grants under the Act and (iii) Any Special Conditions contained in the grant award.

c. The subgrant award may be terminated or fund payment discontinued by the State Law Enforcement Planning Agency when in its opinion a substantial failure to comply with the provisions of the Act or any regulations (SLEPA or Federal) promulgated thereunder, including these subgrant conditions has occurred.

d. In addition, the subgrant may be cancelled under the following conditions:

(1) If a project has not commenced within 60 days after the contractually determined date of implementation (day one of the subgrant period appearing on Subgrant Award, SLEPA 103), the subgrantee will report by letter the steps taken to initiate the project, the reasons for delay, and the expected date.

(2) If, after 90 days following the contractually determined starting date the project is not operational a further statement on implementation delay will be submitted by the subgrantee to SLEPA. Upon the receipt of the 90-day letter SLEPA may cancel the project, and redistribute the funds to other project areas. SLEPA, where warranted by extenuating circumstances, may request approval from the LEAA Regional Office to extend the implementation date of the project past the 90-day period.

e. Reports shall be submitted at such times and in such form as may be prescribed by SLEPA including monthly financial reports, quarterly narrative reports, interim evaluation reports and final financial and narrative reports.

f. Where activities supported by this grant produce original books, manuals, films or other copyrightable material, the grantee may copyright such, but SLEPA reserves a royalty-free, non-exclusive and irrevocable license to reproduce, publish, and use such materials, and to authorize others to do so. SLEPA also reserves the right to require the grantee not to publish, and the grantee thereupon shall refrain from publishing, any material, whether copyrighted or not, that SLEPA shall designate. However, such right shall not be exercised unreasonably. Any publication by the grantee shall include, on the title page, a standard disclaimer of responsibility by SLEPA for any opinions or conclusions contained therein.

g. If any discovery or invention arises or is developed in

the course of or as a result of work performed under this grant, the grantee shall refer the discovery or invention to SLEPA, which will determine whether or not patent protection will be sought, how any rights therein, including patent rights, will be disposed of and administered, and the necessity of other action required to protect the public interest in work supported with federal funds, all in accordance with the Presidential Memorandum of October 10, 1963, on Government Patent Policy.

h. Discrimination will be prohibited in that:

(1) No person shall, on the grounds of race, creed, color or national origin, be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under grants awarded pursuant to the Act or under any project, program or activity supported by this grant. The grantee must comply with the provisions and requirements of Title VI of the Civil Rights Act of 1964 and regulations issued by the Department of Justice and the Law Enforcement Assistance Administration thereunder as a condition of award of federal funds and continued grant support. As required by Section 518 (b) of the Act, this grant condition shall not be interpreted to require the imposition in grant-supported projects of any percentage ratio, quota system, or other program to achieve racial balance or eliminate racial imbalance in a law enforcement agency.

(2) There shall be no discrimination against any employee engaged in the work required to produce the services covered by this subgrant or against any applicant for such employment because of sex, race, creed, color, national origin or ancestry. This provision shall include, but not be limited to the following: employment upgrading; demotion; transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training including apprenticeship.

(3) The parties to this subgrant do hereby agree that the provisions of N.J.S.A. 10:2-1 through 10:2-4, dealing with discrimination in employment on public contracts, and the Rules and Regulations promulgated pursuant thereto, are hereby made a part of this sub-grant and are binding upon them.

i. In reference to title to property acquired in whole or in part with grant funds, subgrantees must comply with the standards set forth in Attachment N, OMB Circular A-102 pertaining to property management standards.

j. All interest or other income earned by the grantee with respect to grant funds or as a result of conduct of the grant project (sale of publications, registration fees, service charges on fees, etc.) must be accounted for. Interest on grant funds must be returned to LEAA by check payable to the United States Treasury, and other income should be applied to project purposes or in reduction of project costs; *provided, however*, that if the grantee is a unit of state government, the grantee shall not be accountable for interest earned on grant funds pending their disbursement or actual application for project purposes.

k. All income from other sources, such as contributions,

donations or funds from other grant programs, must be accounted for and reported to the Agency.

**l.** With respect to indirect costs charged by local government subgrantees, as match, no charges on the basis of previously established fixed rates or negotiated lump sum amounts may be allowed without prior submission to and approval by LEAA, except that flat amounts not in excess of 10% of direct labor costs or 5% of total projects costs may be allowed by SLEPA as a predetermined rate based on general experience with respect to minimum overhead support levels required for governmental agency operation. (Where flat rates are accepted in lieu of actual indirect cost, subgrantees may not also charge expenses normally included in overhead pools, e.g., accounting services, legal services, building occupancy and maintenance, etc., as direct costs.)

**m.** Subgrantees shall comply with applicable regulations and standards of the Cost of Living Council in establishing wages and prices. Submission of a bid or offer or the submittal of an invoice or voucher for property, goods, or services furnished under a contract or agreement with SLEPA shall constitute certification that amounts to be paid do not exceed maximum allowable levels authorized by the Cost of Living Council regulations or standards.

**n.** Under the terms and conditions of the Federal Freedom of Information Act (5 U.S.C. 552), subject only to the exceptions set forth below, all identifiable plans, applications, grant or contract awards, reports, books, papers or other documents maintained by the subgrantee under this grant that are pertinent to activities supported by Title I funds shall be made promptly available upon request to any person for inspection and copying. The subgrantee is, however, under no obligation to compile or procure a record or other document in response to a request, nor to undertake to identify for someone who requests records the particular material being requested where a reasonable description is not afforded.

#### **Material Exempted from Disclosure**

Records and Documents, or parts thereof, need not be made available under this section if they are:

- (1) specifically exempted from disclosure by State law;
- (2) related to operations of criminal justice agencies that are sensitive or confidential to such a degree that disclosure would not be in the interest of the public;
- (3) internal communications related to the subgrantee decision making process, such as preliminary drafts, memoranda between staff officials, opinions and interpretations prepared by staff personnel or consultants, or records or minutes of deliberations of staff groups or executive sessions of the supervisory board;
- (4) investigatory files compiled for law enforcement purposes;
- (5) trade secrets or commercial or financial information that is privileged or confidential under State law;
- (6) related solely to the internal personnel rules and practices of the subgrantee;
- (7) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Inspection and copying of records and documents may be made subject to reasonable rules and procedures relating to time, place, and fees for copies to the extent authorized by State law. Any information released by the subgrantee to the general public concerning subgrants

awarded by SLEPA must include reference to the fact that SLEPA was the grantor and that the federal support came from LEAA.

**o.** Before approving subgrant programs involving construction, renovation, purchasing or leasing of facilities SLEPA shall consult with the State Liaison Officer for historic preservation to determine if the undertaking may have an effect on properties listed in the National Register of Historic places. If the undertaking may have an adverse effect on the listed program properties SLEPA must notify and receive LEAA approval before proceeding with the program.

**p.** In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (P.L. 91-646; 84 Stat 1894), Title I funds used to pay all or part of the cost of any program or project which will result in displacement of any person shall provide that:

- (1) Relocation services and payments will be provided.
- (2) The public has been adequately informed of relocation payments and services.
- (3) When at all practicable, at least 90 days notice of relocation will be given.
- (4) Comparable replacement housing is available and a specific plan formulated to deal with relocation problems.
- (5) The relocation is realistic and adequate to provide orderly relocation.

**q.** In accordance with the provisions of the Clean Air Act, 42 U.S.C. 1857 et. seq., as amended by P.L. 91-604, subgrants or contracts will not be made to parties convicted of any offense under the Clear Air Act.

**r.** SLEPA or any of its duly authorized representatives, shall have access for purpose of audit and examinations to any books, documents, papers, and records of the grantee, and to relevant books and records of subgrantees and contractors, as provided in Section 521 of the Act.

**s.** The applicable sections of the Hatch Act (Title V, Chapter 15, Section 1501) pertaining to the political activities of certain State and local employees shall be adhered to.

**t.** Whoever embezzles, willfully misapplies, steals or obtains by fraud any funds, assets, or property which are the subject of a grant or contract or other form of assistance pursuant to this title, whether received directly or indirectly from the Administration, shall be fined not more than \$10,000 or imprisoned for not more than five years, or both. Whoever knowingly and willfully falsifies, conceals or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to this title or in any record required to be maintained pursuant to this title shall be subject to prosecution under the provisions of Section 1001 of Title 18, United States Code. Any law enforcement program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to this title, whether received directly or indirectly from the Administration shall be subject to the provisions of Section 371 of Title 18, United States Code.

#### **2. Fiscal Conditions:**

**a.** Procedures will be established which assure proper disbursement of, and accounting for grant funds and required non-federal expenditures (if any) that meet the requirement of the State of New Jersey to the federal government as specified in the Act.

b. Accounting procedures provide for an accurate and timely recording of receipt of funds by source, of expenditures made from such funds, and of unexpended balances. Controls will be established which are adequate to ensure that expenditures charged to subgrant activities are for allowable purposes and that documentation is readily available to verify that such charges are accurate.

c. The subgrantee shall submit financial and budgetary reports to the State Law Enforcement Planning Agency on the form provided (SLEPA 107). The frequency of the reports and cash requests will be governed by the type of project and such reports will be filed in accordance with the instructions provided by the Agency. The reports will include the total project fiscal transactions including the local matching share.

d. The subgrantee shall submit a final fiscal report (SLEPA 107) to the State Law Enforcement Planning Agency within thirty days following the end of the sub-grant period with a final narrative report.

e. Grant funds may not, without advance written approval by the SLEPA be obligated prior to the effective date or subsequent to the termination date of the grant period. Obligations outstanding as of the termination date shall be liquidated within 90 days. Such obligations must be related to goods or services provided and utilized within the grant period.

f. Funds that remain unobligated at the end of the Fiscal Budget Period shall be returned to SLEPA within sixty (60) days after the end of such budget period.

g. Financial records of the grantee and its subgrantees and contractors, including books of original entry, source documents supporting accounting transactions, the general ledger, subsidiary ledgers, personnel and payroll records, cancelled checks, and related documents and records must be retained for a period of at least three years. The retention period starts from the date of the submission of the final expenditure report or, for grants which are renewed annually from the date of the submission of the annual expenditure report.

Records must be retained beyond the three year period if an audit is in progress and/or the findings of a completed audit have not been resolved satisfactorily. If an audit is completed and the findings are resolved prior to the three year period, records will be retained until the end of the three year period. If the three year period has passed and no audit has been initiated, the records will be retained in accordance with other State and local law. If State or local law requires a longer period of record retention, access to the records will be allowed for purposes of a federal audit.

If after the 3 year period no audit has been initiated and State or local law does not require record retention beyond the three year period, subgrantees must receive prior approval from SLEPA before disposing of any grant records.

h. Subgrant expenditures must be reduced by applicable credits which refer to those receipts or reduction of expenditure-type transactions which offset or reduce expense items allocable to grants as direct or indirect costs. Examples of such transactions are: purchase discounts; rebates or allowances, recoveries or indemnities on losses; sale of publications, equipment and scrap; income from personal or incidental services; and adjustments of overpayments or erroneous charges.

Applicable credits may also arise when Federal funds are received or are available from sources other than the

grant program involved to finance operations or capital items of the grantee. This includes costs arising from the use or depreciation of items donated or financed by the Federal Government to fulfill matching requirements under another grant program. These types of credits should likewise be used to reduce related expenditures in determining the rates or amount applicable to a given grant.

i. The following conditions pertain to consultants:

#### **Individual Consultant Services**

(1) The daily rate (based on an 8 hour day) not exceed \$135.

(2) The individual not to be an employee of the executive branch of government.

(3) Dual compensation not allowable (compensation from regular employer and grant funds for a single period).

(4) Compensation to be reasonable and consistent with that paid for similar activities in the area.

(5) Retainer agreement to be formal and proper, consistent with the grantee's usual arrangements for obtaining such services.

(6) Time and services for which payment will be made to be supported by adequate documentation.

(7) Travel costs to be consistent with the grantee's general travel reimbursement policies.

#### **Organization Consultant Services**

The arrangement is formal and proper and consistent with the usual practices and policies of the subgrantee in contracting for or otherwise obtaining services of the type required; selection of contractors has involved securing of competitive bids or proposals from a group of qualified organizations.

Prior to obtaining the services of any consultant, the subgrantee will submit a copy of the proposed contract to the State Law Enforcement Planning Agency for review and approval. The proposed contract will be attached to the Consultant Reporting Form which will be provided to the subgrantee by the Agency. Written approval of the contract by the Agency must be obtained prior to the execution of any consultant contract.

j. Subgrantees should follow State procurement practices and procedures as defined in Chapt. 198, Laws of 1971, "Local Public Contracts Law" and any amendments attached thereto, except where inconsistent with Attachment O, OMB Circular A-102. Federal circular A-102 prescribes minimum standards required of all subgrantee procurement methods.

k. The fiscal administration of grants shall be subject to such further rules, regulations and policies concerning accounting and records, payment of funds, cost allowability, submission of financial reports, etc., as may be prescribed by SLEPA.

The conditions for grant assistance to any applicant, when an award is made and grant funds are accepted thereunder, will become a binding contractual commitment of the subgrantee. The applicant should satisfy itself that it has read, understands, and is willing to comply with these grant conditions and the rules and regulations incorporated therein concerning administration of grants established by the Law Enforcement Assistance Administration and the State Law Enforcement Planning Agency.

APPLICATION AUTHORIZATION

Authorization to submit application to the State Law Enforcement Planning Agency for a project entitled:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

at an estimated total project cost of \$ \_\_\_\_\_.

The undersigned agrees upon approval of this project on behalf of the unit of government or State Agency to comply with the "Conditions Applicable to Grants Awarded" (Section B of this Application). Further, the undersigned certifies that the information contained in the "Non-Supplanting Certification" and the "Negative Environmental Impact Statement" is complete and accurate. The undersigned also certifies that the following procedures covering "Civil Rights Compliance," where required, and "A-95 Clearinghouse Review" have been undertaken and completed:

Civil Rights Compliance

- 1. An Equal Employment Opportunity Program (Affirmative Action Plan) covering the employment practices of the implementing agency has been executed and is available for review. YES  NO
- 2. The required certificate indicating existence of a written Equal Employment Opportunity Program has been filed with the State Law Enforcement Planning Agency either with this application or with a previously approved application involving the same implementing agency. YES  NO

Date certificate filed \_\_\_\_\_

A-95 Clearinghouse Review

- 1. This application for federal assistance has been submitted to the appropriate clearinghouse for review. YES  NO

Date submitted \_\_\_\_\_

- 2. Comments received (if any) have been included as part of the application. YES  NO

REFER TO THE 1974 APPLICANTS GUIDE FOR A DETAILED EXPLANATION OF BOTH CIVIL RIGHTS AND A-95 CLEARINGHOUSE REQUIREMENTS.

This application consists of the following attachments in addition to this form:

Section A

- Attachment 1: Description of Project
- Attachment 2: Project Budget
- Attachment 3: Non-Supplanting Certification
- Attachment 4: Negative Environmental Impact Statement

Section B

Conditions Applicable to Grants Awarded

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Mayor, Freeholder-Director, State Department Head

Unit of Government: \_\_\_\_\_

RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A STATE LAW ENFORCEMENT PLANNING AGENCY PROGRAM

WHEREAS, the State Law Enforcement Planning Agency (SLEPA) is responsible for implementation of Title I of the "Omnibus Crime Control and Safe Streets Act of 1968, (as amended) in New Jersey; and

WHEREAS, the \_\_\_\_\_ wishes to apply to SLEPA for funds in connection with a project entitled \_\_\_\_\_; and

(LOCAL AGENCY RESPONSIBLE FOR PROJECT)

(SHORT DESCRIPTIVE TITLE FROM ITEM 3, SLEPA FORM 101)

WHEREAS, the \_\_\_\_\_ has reviewed said application and finds approval thereof to be in the best interests of the municipality/county; and

(GOVERNING BODY/BOARD OF FINANCE OF GOVERNMENT UNIT)

WHEREAS, said project is a joint project between the State of New Jersey (SLEPA) and \_\_\_\_\_ for the purposes therein described;

(NAME OF UNIT OF GOVERNMENT)

NOW, THEREFORE, BE IT RESOLVED by the \_\_\_\_\_

(GOVERNING BODY/BOARD OF FINANCE OF GOVERNMENT UNIT)

(1) that as a matter of public policy \_\_\_\_\_ wishes to participate with the State of New Jersey (SLEPA) to the greatest extent possible; (2) that the Executive Director of SLEPA be and he is requested to accept said application on behalf of the municipality/county; and (3) that the appropriate fiscal officer will accept the funds in connection with said project from SLEPA and make disbursements in accordance with said application.

(UNIT OF GOVERNMENT)

CERTIFICATION OF RECORDING OFFICER

This is to certify that the foregoing Resolution is a true and correct copy of a resolution finally adopted at the meeting of the \_\_\_\_\_ held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ and duly recorded in my office; that all requirements of law pertaining to the conduct of said meeting and the passage of this resolution were observed; and that I am duly authorized to execute this certificate.

(GOVERNING BODY/BOARD OF FINANCE OF UNIT OF GOVERNMENT)

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

(SIGNATURE OF CERTIFYING OFFICER)

SEAL

(TITLE OF CERTIFYING OFFICER)

**NEW JERSEY STATE LAW ENFORCEMENT PLANNING AGENCY**

**SUBGRANT AWARD**

PROJECT TITLE	PROJECT NUMBER
IMPLEMENTING AGENCY/PROJECT DIRECTOR	SUBGRANT AMOUNT Federal State Buy-In _____ Total
SUBGRANTEE UNIT OF GOVERNMENT	DATE OF AWARD

In accordance with the provisions of Part B, C and E Title I, of the Omnibus Crime Control Act (P.L. 90-351) as amended and based on the appended application, the State Law Enforcement Planning Agency hereby awards to the above named Subgrantee a(n) \_\_\_\_\_ subgrant in the amount specified, for the purposes set forth in the approved application.

This subgrant is subject to the General Conditions set forth in the Federal Office of Management and Budget Circulars A-73, A-87 and A-102; the General Conditions for \_\_\_\_\_ subgrants promulgated by the State Law Enforcement Planning Agency (copy of which is attached hereto); all applicable Statutes of the State of New Jersey; the requirements of the federal government (U.S. Department of Justice) and the State Law Enforcement Planning Agency; and the requirements of the State of New Jersey for State and local financial accounting. It is subject also to any special conditions attached to this subgrant.

This Subgrant Award incorporates all conditions and representations contained or made in applicant's application form 101 hereto attached.

In compliance with Section 301 (c) of the Act, and in consideration of Section 303 (2) of the Act, the subgrantee hereby attests and affirms that it is the intention of the office of the chief elected official of the applicant unit of government to seek and assure that the required "hard cash match" funds in the amount of \_\_\_\_\_ will be designated, appropriated and expended for the project for which support is herein requested, within the duration of the subgrant period.

The subgrant shall become effective, as of the date of the award, upon return of the duplicate copy of this award, duly executed by the Chief Executive (Mayor, Freeholder-Director, or State Department Head) of the Subgrantee unit of government and will cover the period indicated below subject to revision by the State Law Enforcement Planning Agency.

**FOR THE SUBGRANTEE:**

**FOR THE STATE OF NEW JERSEY  
STATE LAW ENFORCEMENT PLANNING AGENCY**

\_\_\_\_\_  
SIGNATURE OF MAYOR/FREEHOLDER DIRECTOR,  
STATE AGENCY HEAD (SIGNATURE INDICATES  
AGREEMENT TO ATTACHED CONDITIONS, IF ANY)

\_\_\_\_\_  
EXECUTIVE DIRECTOR, SLEPA

\_\_\_\_\_  
TYPED NAME OF OFFICIAL AND TITLE

**SUBGRANT AWARD DATA**

This award is subject to special conditions (attached)

Subgrant Number : \_\_\_\_\_

Date Application Received: \_\_\_\_\_

\_\_\_\_\_ to \_\_\_\_\_  
SUBGRANT PERIOD

STATE LAW ENFORCEMENT PLANNING AGENCY

NOTICE OF APPEAL

Unit of Government: \_\_\_\_\_

Title of Application: \_\_\_\_\_

\_\_\_\_\_ Project Number \_\_\_\_\_

Date of Application Submission: \_\_\_\_\_

SLEPA Program Number: \_\_\_\_\_

It is hereby requested that a formal hearing be held pertinent to the denial of funding of the above identified application, in accord with the established procedures for appeal.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

MAYOR, FREEHOLDER-DIRECTOR, STATE DEPARTMENT HEAD

Date: \_\_\_\_\_

**STATE LAW ENFORCEMENT  
PLANNING AGENCY  
Trenton, New Jersey 08625**

**INDIVIDUAL TIME AND SALARY REPORT**

1. Applicant		2. Report Period (Month)	
3. Project Title		4. Grant No.	
5. Name	6. Employee No.	7. Social Security No.	
8. Title	9. Project Assignment		

**DAILY TIME RECORD**

DATE OF MONTH	TOTAL HOURS WORKED	HOURS WORKED ON PROJECT	DATE OF MONTH	TOTAL HOURS WORKED	HOURS WORKED ON PROJECT	DATE OF MONTH	TOTAL HOURS WORKED	HOURS WORKED ON PROJECT
1			11			21		
2			12			22		
3			13			23		
4			14			24		
5			15			25		
6			16			26		
7			17			27		
8			18			28		
9			19			29		
10			20			30		
						31		

<b>10. Salary</b>	HOURLY RATE	WEEKLY RATE	<b>11. Monthly Total</b>	TOTAL HOURS WORKED	HOURS WORKED ON PROJECT

**APPORTIONMENT OF COMPENSATION**

Charged to	Salary	Benefits	Total
State/ Local			
Federal (SLEPA)			

CERTIFIED AND SUBMITTED AS TRUE AND CORRECT

\_\_\_\_\_  
12. Individual's Signature

\_\_\_\_\_  
13. Supervisor Project Director's Signature

## INDIVIDUAL TIME AND SALARY REPORT INSTRUCTIONS

This form is to be used for personnel involved in funded grant projects and is to be held by the subgrantee with other accounting records until an audit is completed and all questions arising therefrom are resolved, or three years after completion of a project, whichever is sooner.

An individual must use this Form 105

if the agency does not regularly use a standard time record and the individual is paid full-time with FEDERAL funds.

if the individual is paid part-time with FEDERAL funds.

if the individual's time is recorded as part-time in kind local share.

if the individual's time is recorded as full-time in kind local share.

### ITEM NUMBER

1. Name of agency, city or town which received the grant award.
2. Month for which the daily time is reported.
3. Title of awarded project.
4. Designated grant number.
5. Employee's name whose daily time record appears on the form.
6. Employee's identification number (if appropriate).
7. Employee's social security number.
8. Employee's regular title or job position.
9. Employee's job assignment as directly related to project activities.

### DAILY TIME RECORD

Each work day should show the total number of hours worked in the first column and in the second column the total number of hours worked on project activities, e.g., a full-time project assignment would show 8 hrs. and 8 hrs., a part-time project assignment would show 8 hrs. and 4 hrs. or 8 hrs. and 2 hrs., etc.

10. Employee's salary should be designated as either the hourly or weekly rate.
11. Designate the hours worked for the whole month as total hours worked and total hours worked on project.

### APPORTIONMENT OF COMPENSATION

This will summarize the monthly salary and fringe benefits dollar value for use in gathering information for the regular quarterly narrative report.

12. Employees whose time records are recorded on this form must sign and certify the correctness of the report.
13. The employee's supervisor should also sign to verify the accuracy of the report.

STATE OF NEW JERSEY  
STATE LAW ENFORCEMENT PLANNING AGENCY

QUARTERLY NARRATIVE REPORT  
(Submit in Duplicate)

For SLEPA Use Only

Date Rec'd. \_\_\_\_\_

Analyst \_\_\_\_\_

Chief \_\_\_\_\_

Refer to \_\_\_\_\_

Comments Attached

IMPLEMENTING AGENCY

SUBGRANT NO

STREET ADDRESS

PHONE NO.

CITY

ZIP NO.

For Quarter:

- January 1 to March 31
- April 1 to June 30
- July 1 to September 30
- October 1 to December 31
- Other/Final Report \_\_\_\_\_

Project Duration (if SLEPA approved extension,  
use latest date)

From \_\_\_\_\_

To \_\_\_\_\_

1. GOALS (List the goals from the body of the grant application).

2. OBJECTIVES (List the objectives from the body of the grant application).

3. ACTIVITIES (Specific activities related to achievement of goals and objectives)

a.

b.

c.

d.

e.

f.

4. SUMMARY OF PROJECT PROGRESS (Relate to goals, objectives and activities, highlighting significant accomplishments and problems. Quantify where possible).

5. EQUIPMENT RECEIVED DURING QUARTER:

6. PROJECT DIRECTOR'S COMMENTS:

---

TYPED NAME AND SIGNATURE OF PROJECT DIRECTOR

---

DATE

# INSTRUCTIONS FOR DETAILED COST STATEMENT, CASH REPORT, CASH REQUEST SLEPA FORM 107

The purpose of these instructions is to explain the procedures to be followed by each subgrantee in reporting to SLEPA on:

- The funds required in the immediate future to begin, continue or complete the approved activities under each subgrant.
- The expenditure of funds in connection with the activities under each subgrant.

The subgrantees are to use a revised, three-part form in reporting to SLEPA. The sections of this report are:

- Detailed Cost Statement
- Cash Report
- Cash Request

The procedure for completing each section is covered in these instructions:

## **I Frequency and Dates for Reporting**

The required frequency of reporting on each subgrant will depend on the subgrant section, as determined by SLEPA. The subgrantee will be informed of the Section to which each subgrant has been assigned. Briefly, the basis for assignment is as follows:

*Section I*—subgrants with a total grant amount of \$10,000 or less.

*Section II*—subgrants that do not fit the Section I definition and with a total grant amount in excess of \$10,000.

Reports are required on a monthly basis for all active subgrants.

All reports are due 5 working days after the end of the reporting period.

Reports must be submitted for each active subgrant, even if additional funds are not being requested.

## **II Detailed Cost Statement**

The purpose of the Detailed Cost Statement is to provide SLEPA with necessary information on the expenditure of federal funds and matching State or local funds in connection with each subgrant. This report also is to provide SLEPA with necessary information on expenditures by approved cost categories and to compare expenditures to the approved project budget.

The information submitted in the Detailed Cost Statement, as well as the supporting accounting records, is subject to both federal and State audit for accuracy, completeness and compliance with the terms of the subgrant award.

The following explanations are to assist in the preparation of the Detailed Cost Statement.

1. The Approved Project Budget amounts must agree with the budget application approved by SLEPA. Any pending requests for budget modification are not to be included until they are approved in writing by SLEPA.

2. Budget categories for reporting expenditures are the same as those on the project budget.

3. This report must show the expenditure in each category of SLEPA funds, State Buy-in funds, State Share, and subgrantee funds.

4. The section on cumulative expenditures must show all expenditures, by cost category and by source of funds, since the beginning of the project.

5. The section on current unpaid obligations must show all unpaid obligations, by cost category and by source of funds, during the current report period.

## **III Cash Report**

The purpose of the cash report is to provide SLEPA with necessary information on the receipt and disbursement of funds, and on existing cash balances.

Cash balances must be kept as close as possible to actual cash needs for the succeeding period.

The following explanations refer to items on the Cash Report form.

1. Cash on hand—beginning of the period. This amount must agree with the SLEPA, State Buy-in, and State Share cash on hand (item #6) on the previous report. (State Share pertains ONLY to State agency grants.)

2. SLEPA, State Buy-in and State Share cash received during the period. Consideration must be given to funds in-transit. This would include those funds requested on the prior months report but not yet received.

3. SLEPA, State Buy-in and State Share cash disbursed during the period. The amount (item #5) must agree with the reported expenditures of SLEPA, State Buy-in and State Share funds reported on the accompanying Detailed Cost Statement.

4. Current unpaid obligations (item #7). This amount must agree with the reported current unpaid obligations of SLEPA, State Buy-in and State Share funds reported on the accompanying Detailed Cost Statement.

Unpaid obligations represent signed purchase

orders or contracts and outstanding accounts payable expected to be paid during the contract period, as well as required deposits covering purchase orders and contracts.

#### **IV Cash Request**

The Cash Request is the basis for SLEPA disbursement of both Federal, State Share and State Buy-in funds to subgrantees. To insure that adequate funds are provided to cover the needs of the project, but that cash balances are not in excess of the project needs, subgrantees must report to SLEPA on their anticipated expenditure of funds. This information, after cash on hand is deducted, will be the basis for cash disbursements from SLEPA.

It is necessary that all subgrantees estimate their expenditures of SLEPA, State Buy-in and State Share funds in the following manner:

1. Initial fundings (SLEPA and State Share funds only). Expenditures should be estimated for the first two months of the project. That is, for a project initially funded in June, expenditures should be estimated for June and July.

2. Initial fundings (State Buy-in only). The full

amount of the State Buy-in funds should be requested on the initial fund request.

3. *Follow-on fundings*—Expenditures should be estimated for the next two months. For example, on the Request submitted by July 5, which covers June activity, expenditures should be estimated for July and August. Similarly, the August 5 request would have expenditures estimated for August and September.

4. The unobligated cash on hand is to be deducted from the anticipated expenditures.

#### **V Certification**

Each report is to be certified by the Project Director and the Finance Officer designated in the approved project application. This certification covers all three sections of the report.

#### **VI Address for Submitting Reports**

The report is to be sent to the following address:

FISCAL OFFICER  
SLEPA  
3535 Quakerbridge Road  
Trenton, New Jersey 08625

STATE OF NEW JERSEY  
STATE LAW ENFORCEMENT PLANNING AGENCY

DETAILED COST STATEMENT – CASH REPORT/CASH REQUEST  
(SUBMIT IN TRIPLICATE)

1. Unit of Government \_\_\_\_\_  
 2. Implementing Agency \_\_\_\_\_  
 3. Project Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 4. Subgrant # \_\_\_\_\_  
 5. Project Duration:  
 From \_\_\_\_\_  
 To \_\_\_\_\_

6. Date of this Report: \_\_\_\_\_  
 7. Report # \_\_\_\_\_  
 8. Report Period:  
 a. For Month of \_\_\_\_\_  
 b. For Quarter  
 January 1 to March 31  
 April 1 to June 30  
 July 1 to September 30  
 October 1 to December 31  
 c. Other period \_\_\_\_\_

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BUDGET CATEGORIES	APPROVED PROJECT BUDGET			THIS REPORT PERIOD'S EXPENDITURES			CUMULATIVE EXPENDITURES			CURRENT UNPAID OBLIGATIONS		
	SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH	
		STATE BUY-IN PROVISION	STATE/LOCAL CASH		STATE BUY-IN PROVISION	STATE/LOCAL CASH		STATE BUY-IN PROVISION	STATE/LOCAL CASH		STATE BUY-IN PROVISION	STATE/LOCAL CASH
A. Salaries & Wages												
1. Regular criminal justice personnel												
2. Other Staff												
Fringe Benefits												
B. Purchase of Services												
C. Travel, etc.												
D. Consumable Supplies												
E. Facilities, etc.												
F. Equipment												
G. Indirect Cost												
<b>TOTALS</b>												

Implementing Agency \_\_\_\_\_ Subgrant # \_\_\_\_\_

Project Title \_\_\_\_\_

CASH REPORT

	SLEPA FUNDS (ONLY)	STATE BUY-IN FUNDS (ONLY)	STATE SHARE (ONLY)
1. Project Status: <input type="checkbox"/> Ready to begin <input type="checkbox"/> In operation <input type="checkbox"/> Completed			
2. Cash on hand – beginning of period	\$ _____	_____	_____
3. ADD: cash received during period	_____	_____	_____
cash in-transit	_____	_____	_____
4. SUBTOTAL: Cash available during period	_____	_____	_____
5. DEDUCT: cash disbursed during period	_____	_____	_____
6. SUBTOTAL: cash on hand	_____	_____	_____
7. DEDUCT: current unpaid obligations	_____	_____	_____
8. BALANCE: unobligated cash on hand	\$ _____	_____	_____

CASH REQUEST

9. Anticipated expenditures* of cash during the period of _____ *(DO NOT INCLUDE OBLIGATIONS FROM #7 ABOVE)	\$ _____	_____	_____
10. DEDUCT: unobligated cash on hand	_____	_____	_____
11. Cash requested from SLEPA	\$ _____	_____	_____

FAILURE TO SUBMIT FORM 100 SIGNED (Space labeled  
"Payee Signature") WILL DELAY ADVANCES.

SUBGRANTEE CERTIFICATION: I certify that this information is taken from the Books of Account and that such costs are valid and consistent with the terms of the Grant.

PROJECT DIRECTOR \_\_\_\_\_

FINANCIAL OFFICER \_\_\_\_\_

FOR SLEPA USE:

Approved: \_\_\_\_\_

Posted: \_\_\_\_\_

Remarks: \_\_\_\_\_

STATE OF NEW JERSEY  
STATE LAW ENFORCEMENT PLANNING AGENCY

BUDGET REVISION/GRANT EXTENSION REQUEST  
(Submit in Triplicate)

BUDGET CATEGORIES	APPROVED PROJECT BUDGET			PROPOSED TRANSFERS			REQUESTED OPERATING BUDGET		
	SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH	
		STATE BUY-IN PROVISION	STATE/LOCAL CASH		STATE BUY-IN PROVISION	STATE/LOCAL CASH		STATE BUY-IN PROVISION	STATE/LOCAL CASH
A. Salaries & Wages									
1. Regular criminal justice personnel									
2. Other Staff									
Fringe Benefits									
B. Purchase of Services									
C. Travel, etc.									
D. Consumable Supplies									
E. Facilities, etc.									
F. Equipment									
G. Indirect Cost									
TOTALS									

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1. Unit of Government \_\_\_\_\_

2. Implementing Agency \_\_\_\_\_

3. Project Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Subgrant # \_\_\_\_\_

5. Project Duration:  
From \_\_\_\_\_  
To \_\_\_\_\_

6. Date of Request: \_\_\_\_\_

7. GRANT EXTENSION REQUEST

From \_\_\_\_\_

To \_\_\_\_\_

8. Subgrantee Certification: \_\_\_\_\_

Signature \_\_\_\_\_

PROJECT DIRECTOR

Signature \_\_\_\_\_

FINANCIAL OFFICER

FOR SLEPA USE

Approved: \_\_\_\_\_

Date: \_\_\_\_\_

Remarks: \_\_\_\_\_

## INSTRUCTIONS

As stated in the General Conditions attached to all SLEPA grants, the subgrantee is permitted to transfer funds between budgetary categories, provided the transfer does not affect any category by an amount in excess of \$100 of the originally approved budget. Any transfer of funds between categories that will exceed the \$100 limitation requires prior written approval from SLEPA on this form (SLEPA 108). Any change made to the budget allotment within the discretionary limits of the grantee should be explained on the first monthly budget report which reflects the changes.

The following explanations are to assist in the preparation of the Budget Revision/Grant Extension Request.

1. Budget categories for reporting expenditures are the same as those on the project budget.
2. This request must show proposed changes in each category of SLEPA funds and required cash.
3. When completing the Budget Revision/Grant Extension Request, the columns under the heading *Approved Project Budget* should be used to depict the *present operating budget*. The present operating budget should be either that budget initially approved by the SLEPA Governing Board or, if prior revision(s) have been requested, the latest approved budget modification.
4. Columns headed *Proposed Transfers* are to be used to reflect dollar amounts and categories to be affected by the fund transfer (example: Category A +\$100; Category B -\$100). Changes in the subgrantee share as well as requested transfers of SLEPA funds must be reflected. Note that transferred amounts should total zero.
5. Columns headed *Requested Operating Budget* should reflect the newly proposed budget in its entirety. The total budgeted under SLEPA share should agree with the amount budgeted under *Approved Project Budget*.
6. Upon receipt of written approval of the Grant Revision and/or Extension Request, the proposed budget will become the project's new operating budget. New budgets amounts should be reflected on the subsequent Detailed Cost Statement. Do not report proposed changes prior to receipt of the written approval by SLEPA.

**BUDGET REVISION NARRATIVE:** Subgrantees should add as many continuation pages as necessary to relate the proposed changes to project activities and complete the required justification and explanation of those changes. Explain the sources to be utilized for any additional matching contributions. Enumerate those proposed changes of expenditure items that require prior approval, as specified in Bureau of Budget *Circular A-87*, *LEAA Financial Guide*, and *SLEPA Applicants Guide*, so prior approval may be considered at the time the request for budget revision is made.

Line items within categories which will be affected by the proposed fund transfer should be detailed in the narrative. Purchase of additional goods or services resulting from the budget modification should be itemized and explained. Goods or services to be deleted or continued at a reduced level in order to accommodate the proposed fund transfer should also be itemized and explained.

**GRANT EXTENSION NARRATIVE:** If a request for grant extension will also involve budget modification, instructions for the budget revision narrative should be followed. Additionally, the extension request must be forwarded to SLEPA prior to termination of the approved subgrant period. In an effort to aid analysis of the extension request, subgrantees are also encouraged to include in the narrative a projection of expenditures through the final approved month of the project. Such a projected cost schedule will provide SLEPA and the subgrantee with a financial basis for determining the length of the extension period.

STATE LAW ENFORCEMENT PLANNING AGENCY

CONSULTANT REPORTING FORM

Title of Grant \_\_\_\_\_

Subgrant No. \_\_\_\_\_

Unit of Government \_\_\_\_\_

Project No. \_\_\_\_\_

Grant Period  
\_\_\_\_\_ to \_\_\_\_\_

Telephone  
Number \_\_\_\_\_

Project Director \_\_\_\_\_

Address \_\_\_\_\_

**CONSULTANT**

Telephone  
Number \_\_\_\_\_

Agency Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone  
Number \_\_\_\_\_

Consultant Contact Person \_\_\_\_\_

Consultant Contract Attached  
for SLEPA Approval Yes  No

\_\_\_\_\_

Consultant Contract Previously  
submitted for SLEPA Approval Yes  No

\_\_\_\_\_

please explain

Consultant Contract Period: \_\_\_\_\_ to \_\_\_\_\_

Consultant Contract Amount: \$ \_\_\_\_\_

This form to be completed and submitted to the State Law Enforcement Planning Agency by the Subgrantee prior to engaging the services of a Consultant.

# APPENDIX

**STATE OF NEW JERSEY**  
**EXECUTIVE DEPARTMENT**  
**Executive Order No. 45**

WHEREAS, the 90th Congress of the United States has enacted, and on June 19, 1968, the President has signed into law, legislation popularly referred to as the "Omnibus Crime Control and Safe Streets Act of 1968;" and

WHEREAS, Title I of the "Omnibus Crime Control and Safe Streets Act of 1968" authorizes grants to the states for creation of comprehensive statewide plans for improvement of law enforcement and the administration of criminal justice, and upon federal approval of such plans authorizes implementation grants to carry out their provisions; and

WHEREAS, modern, efficient, and fair law enforcement and criminal justice are of vital importance to the citizens of New Jersey; and

WHEREAS, the public interest of the citizens of New Jersey requires that the State fully implement the provisions of Title I of the "Omnibus Crime Control and Safe Streets Act of 1968" to strengthen local and State law enforcement procedures, facilities, personnel and techniques; and

WHEREAS, the "Omnibus Crime Control and Safe Streets Act of 1968" requires the Governor to designate a State agency having a specific composition of representatives empowered to apply for, receive, and administer federal grants thereunder;

NOW THEREFORE, I, Richard J. Hughes, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the statutes of this State do hereby ORDER and DIRECT:

1. (a) There is hereby created the New Jersey State Law Enforcement Planning Agency, in the Executive Office of the Governor, and subject to the jurisdiction of the Governor.

(b) The New Jersey State Law Enforcement Planning Agency (hereinafter referred to as the "Agency") shall consist of two parts, to wit, a Governing Board, and a staff under the supervision of an Executive Director (who shall also be the Administrator).

(c) The Governing Board shall consist of members chosen by the Governor to be representative of the police, prosecutive, corrections, and court functions on the State level; the police, prosecutive, corrections, and general government functions on the local level; and the public other than law enforcement personnel. Members of the Board shall serve without compensation, but within the limits of funds available therefor, shall be entitled to reasonable reimbursement for all necessary expenses incurred in the discharge of their duties.

(d) The Attorney General of New Jersey shall be Chairman of the Governing Board.

2. (a) The Agency shall be responsible to the Governor for the implementation of Title I of the "Omnibus Crime Control and Safe Streets Act of 1968" in the State of New Jersey.

(b) The Agency shall, at regular intervals, inform the Governor and the Legislature in writing as to developments regarding implementation of Title I of the "Omnibus Crime Control and Safe Streets Act of 1968" in the State of New Jersey.

(c) The Agency shall twice during each year summarize progress made in implementation of Title I of the "Omnibus Crime Control and Safe Streets Act of 1968" in written progress reports to the Governor, the Legislature, the Courts, and the chief executives of local government units within the State of New Jersey.

(d) The Governing Board shall maintain general oversight, review, evaluation, and approval of the law enforcement improvement activities of the Executive Director and staff pursuant to Title I of the "Omnibus Crime Control and Safe Streets Act of 1968," including development and revision of the State law enforcement plan, establishment of priorities for law enforcement improvement in the State, correlation with units of local government and law enforcement, and implementation of subgrants or allocations thereto.

(e) The Governor shall appoint the Executive Director, who shall serve at the pleasure of the Governor. Between meetings of the Governing Board, the Executive Director shall be available to the Governor for consultations or information relating to any matters concerning the work of the Agency.

(f) The Executive Director is hereby authorized, on behalf of the Agency, to call upon any department, office, division or agency of the State to supply such data, information, or assistance as shall be necessary to the discharge of the responsibilities of the Agency under this Order. Each department, office, division or agency of the State is hereby authorized and directed, to the extent not inconsistent with law, to provide such data, information or assistance to the Agency.

(g) The Executive Director may attend Cabinet conferences at the pleasure of the Governor.

(h) The Agency shall, relative to the subject matter of this Order, have the power to promulgate all necessary rules, regulations, and guidelines for local law enforcement planning applications, and for the administration of grants to local law enforcement agencies.

3. The New Jersey Council Against Crime, created under Executive Order No. 37, January 4, 1968, shall act in an advisory, a consulting, and a fact-finding capacity to the Agency, and shall, immediately after each of the Agency's said progress reports, be consulted for the advice and sense of the broader community represented by the Council Against Crime as to the prospective work of the Agency during the next ensuing report period.

4. This Order shall take effect immediately.

GIVEN, under my hand and seal this  
13th day of August, in the  
year of our Lord, one thousand  
nine hundred and sixty-eight,  
and of the Independence of  
the United States, the one  
hundred and ninety-third.

signed — Richard J. Hughes  
GOVERNOR

Attest:

Acting Secretary to the Governor

**GENERAL SERVICES ADMINISTRATION  
OFFICE OF FEDERAL MANAGEMENT POLICY**

**FMC 73-2: Audit of Federal Operations and Programs  
by Executive Branch Agencies**

September 27, 1973

**TO THE HEADS OF EXECUTIVE  
DEPARTMENTS AND ESTABLISHMENTS**

1. **Purpose.** This circular sets forth policies to be followed in the audit of Federal operations and programs by executive departments and establishments.
2. **Supersession.** This circular supersedes Office of Management and Budget Circular No. A-73, dated August 4, 1965.
3. **Policy intent.** The primary objectives of this circular are to promote improved audit practices, to achieve more efficient use of manpower, to improve coordination of audit efforts, and to emphasize the need for early audits of new or substantially changed programs.
4. **Applicability and scope.** The provisions of this circular are applicable to all executive departments and establishments. The terms "agency" and "Federal agency" throughout this circular are synonymous with the term "departments and establishments" as defined in FMC 73-1.
5. **Definitions.**
  - a. The term "audit" as used in this circular means a systematic review or appraisal to determine and report on whether:
    - (1) Financial operations are properly conducted;
    - (2) Financial reports are presented fairly;
    - (3) Applicable laws and regulations have been compiled with;
    - (4) Resources are managed and used in an economical and efficient manner; and
    - (5) Desired results and objectives are being achieved in an effective manner.The above elements of an audit are most commonly referred to as financial/compliance (items 1, 2, and 3), economy/efficiency (item 4), and program results (item 5). Collectively, they represent the full scope of an audit and provide the greatest benefit to all potential users of government audits. In developing audit plans, however, the audit scope should be tailored to each specific program according to the circumstances relating to the program, the management needs to be met, and the capacity of the audit facilities.
  - b. The term "audit standards" refers to those standards set forth in the Standards for Audit of Governmental Organizations, Programs, Activities & Functions issued by the Comptroller General of the United States.
6. **Policies and procedures.** Agencies are responsible for providing adequate audit coverage of their programs as a constructive aid in determining whether funds have been applied efficiently, economically, effectively and in

a manner that is consistent with related laws, program objectives, and underlying agreements. The audit standards will be the basic criteria on which audit coverage and operations are based. Agencies administering Federal grant, contract, and loan programs will encourage the appropriate application of these standards by non-Federal audit staffs involved in the audit of organizations administering Federal programs. Each agency will implement the policies set forth in this circular by issuing policies, plans, and procedures for the guidance of its auditors.

a. **Organization and staffing.** Audit services in government are an integral part of the management process. Audit services and reports must be responsive to management needs. However, it is important in order to obtain the maximum benefit from this function that agency audit organizations have a sufficient degree of independence in carrying out their responsibilities. To provide an appropriate degree of independence, the audit organization should ordinarily be located outside the program management structure, report to an agency management level sufficiently high to ensure proper consideration of and action on audit results, and be given reasonable latitude in selecting and carrying out assignments. Adequate and qualified staff should be assigned this important function. The audit of all programs under a single Federal department or agency must be coordinated, and where economies and a more effective audit service will result, especially in large and geographically dispersed programs, the audit operations within a department should be consolidated. It is also important to establish close coordination between audit and such other management review activities as may exist in an agency.

b. **Determination of audit priorities.** Each agency will establish procedures requiring periodic review of its individual programs and operations to determine the coverage, frequency and priority of audit required for each. The review will include consideration of the following factors:

- (1) Newness, changed conditions, or sensitivity of the organization, program, activity, or function;
- (2) Its dollar magnitude and duration;
- (3) Extent of Federal participation either in terms of resources or regulatory authority;
- (4) Management needs to be met, as developed in consultation with the responsible program officials;
- (5) Prior audit experience, including the adequacy of the financial management system and controls;
- (6) Timeliness, reliability, and coverage of audit reports prepared by others, such as State and local governments and independent public accountants;
- (7) Results of other evaluations; e.g., inspections, program reviews, etc.;
- (8) Mandatory requirements of legislation or other congressional recommendations; and
- (9) Availability of audit resources.

c. **Cross-servicing arrangements.** To conserve manpower, promote efficiency, and minimize the impact of audits on the operations of the organizations subject to audit, each Federal agency will give full consideration to establishing cross-servicing arrangements under which one Federal agency will conduct audits for another—whenever such arrangements are in the best interest of the Federal Government and the organization being audited. This is particularly applicable in the Federal grant-in-aid and contract programs where two or more Federal agencies are frequently responsible for programs in the same organization or in offices located within the same geographical area. Under such circumstances, it will be the primary responsibility of the Federal agency with the predominant financial interest to take the initiative in collaborating with the other appropriate Federal agencies to determine the feasibility of one of the agencies' conducting audits for the others, and to work out mutually agreeable arrangements for carrying out the required audits on the most efficient basis.

d. **Reliance on non-Federal audits.** In developing audit plans, Federal agencies administering programs in partnership with organizations outside of the Federal Government will consider whether these organizations require periodic audits and whether the organizations have made or arranged for these audits. This consideration is especially necessary for those agencies that administer Federal grant-in-aid programs through State and local governments and which are subject to OMB Circular A-102, Attachment G. Attachment G provides standards for financial management systems of grant-supported activities of State and local governments and requires that such systems provide, at a minimum, for financial/compliance audits at least once every two years. Federal agencies will coordinate their audit requirements and approaches with these organizations to the maximum extent possible. The scope of individual Federal audits will give full recognition to the non-Federal audit effort. Reports prepared by non-Federal auditors will be used in lieu of Federal audits if the reports and supporting workpapers are available for review by the Federal agencies, if testing by Federal agencies indicates the audits are performed in accordance with generally accepted auditing standards (including the audit standards issued by the Comptroller General), and if the audits otherwise meet the requirements of the Federal agencies.

e. **Audit plans.** Based on the considerations set forth in b, c, and d, above, each agency will prepare an audit plan at least annually. At a minimum, such plans will reflect the:

- (1) Audit universe (all programs and operations subject to audit);
- (2) Programs and operations selected for audit, with priorities and specific reasons for selection;
- (3) Audit organization that will conduct the audit;
- (4) Audit cycle or frequency, the locations to be audited, and the reasons therefor;

(5) Scope of audit coverage to be provided and the reasons therefor; and

(6) Anticipated benefits to be obtained from the audits.

The plans should be adjusted as necessary to provide for audit coverage of unforeseen priorities.

f. **Coordination of audit work.** Federal agencies will coordinate and cooperate with each other in developing and carrying out their individual audit plans. Such actions will include continuous liaison; the exchange of audit techniques, objectives, and plans; and the development of audit schedules to minimize the amount of audit effort required. Federal agencies will encourage similar coordination and cooperation among Federal and non-Federal audit staffs where there is a common interest in the programs subject to audit.

g. **Reports.** Reporting standards are set forth in the Audit Standards for the guidance of Federal agencies. With respect to release of audit reports, each agency will establish policies regarding the release of audit reports outside the agency. Such policies will be in consonance with applicable laws, including the Freedom of Information Act, and, to the maximum extent possible, will provide for the dissemination of such reports in whole or in part to those interested in such information.

h. **Agency action on audit reports.** Each agency will provide policies for acting on audit recommendations. Timely action on recommendations by responsible management officials is an integral part of the effectiveness of an agency's audit system and has a direct bearing on it. Policies will provide for designating officials responsible for following up on audit recommendations, maintaining a record of the action taken on recommendations and time schedules for responding to and acting on audit recommendations, and submitting periodic reports to agency management on recommendations and action taken.

7. **Responsibilities.** Federal agencies will review the policies and practices currently followed in the audit of their operations and programs, and will initiate such action as is necessary to comply with the policies set forth in this circular. The head of each Federal agency will designate an official to serve as the agency representative on matters relating to the implementation of this circular. The name of the agency representative should be sent to the General Services Administration (AM), Washington, DC 20405, within 30 days after the receipt of this circular.

8. **Reporting requirement.** Each Federal agency will submit a report to the General Services Administration (AM), Washington, DC 20405, by December 31, 1973, on the action it has taken to implement the policies set forth in this circular. Specifically, the report will include actions taken on the issuance of policies, plans, and procedures for the guidance of its auditors; determination of audit priorities; new cross-servicing arrangements made; additional reliance on non-Federal audits; development of audit plans; and coordination of audit

work between Federal agencies and between Federal and non-Federal audit staffs. Reports will be submitted at 6-month intervals on the additional actions taken until the circular is fully implemented. Copies of agency issuances on the implementation of this circular will be submitted to the Office of Federal Management Policy, General Services Administration, upon request.

9. **Inquiries.** Further information concerning this circular may be obtained by contacting:  
General Services Administration (AMF)  
Washington, DC 20405

Telephone: IDS 183-7747  
FTS 202-343-7747

**GENERAL SERVICES ADMINISTRATION  
FEDERAL MANAGEMENT CIRCULAR  
FMC 74-4**

**EXECUTIVE OFFICE OF THE PRESIDENT**

BUREAU OF THE BUDGET  
WASHINGTON, D.C. 20503

July 18, 1974

FMC 74-4

**TO THE HEADS OF EXECUTIVE  
DEPARTMENTS AND ESTABLISHMENTS**

**SUBJECT:** Principles for determining costs applicable to grants and contracts with State and local governments

1. **Purpose.** This Circular promulgates principles and standards for determining costs applicable to grants and contracts with State and local governments. They are designed to provide the basis for a uniform approach to the problem of determining costs and to promote efficiency and better relationships between grantees and their Federal counterparts.

2. **Coverage.** This Circular applies to all Federal agencies responsible for administering programs that involve grants and contracts with State and local governments. However, it does not apply to grants and

contracts with (a) publicly financed educational institutions subject to Bureau of the Budget Circular No. A-21, and (b) publicly owned hospitals and other providers of medical care subject to requirements promulgated by the sponsoring Federal agencies. Any other exceptions will be approved by the Bureau of the Budget in particular cases where adequate justification is presented.

3. **Cost principles.** The principles to be followed in determining costs are set forth in Attachment A. Standards with respect to the allowability of selected items of cost are set forth in Attachment B.

4. **Effective date.** The principles will be applied at the earliest practicable date but not later than January 1, 1969, with respect to State governments and January 1, 1970, with respect to local governments. This arrangement will permit prompt implementation in programs where that is possible, but also allow time for study and development of necessary procedures in more complex programs.

**PRINCIPLES FOR DETERMINING  
COSTS APPLICABLE TO GRANTS  
AND CONTRACTS**

**WITH STATE AND LOCAL GOVERNMENTS**

ATTACHMENT A  
FMC 74-4

**A. Purpose and scope.**

1. **Objectives.** This Attachment sets forth principles for determining the allowable costs of programs administered by State and local governments under grants from and contracts with the Federal Government. The principles are for the purpose of cost determination and are not intended to identify the circumstances or dictate the extent of Federal and State or local participation in the financing of a particular grant. They are designed to provide that federally assisted programs bear their fair share of costs recognized under these principles, except where restricted or prohibited by law. No provision for profit or other increment above cost is intended.

2. **Policy guides.** The application of these principles is based on the fundamental premises that:

a. State and local governments are responsible for the efficient and effective administration of grant and contract programs through the application of sound management practices.

b. The grantee or contractor assumes the responsibility for seeing that federally assisted program funds have been expended and accounted for consistent with underlying agreements and program objectives.

c. Each grantee or contractor organization, in recognition of its own unique combination of staff facilities and experience, will have the primary responsibility for employing whatever form of organization and management techniques may be necessary to assure proper and efficient administration.

3. **Application.** These principles will be applied by all Federal agencies in determining costs incurred by State and local governments under Federal grants and cost reimbursement type contracts (including subgrants and subcontracts) except those with (a) publicly financed educational institutions subject to Bureau of the Budget Circular A-21, and (b) publicly owned hospitals and other providers of medical care subject to requirements promulgated by the sponsoring Federal agencies.

**B. Definitions.**

1. **Approval or authorization of the grantor Federal agency** means documentation evidencing consent prior to incurring specific cost.

2. **Cost allocation plan** means the documentation identifying, accumulating, and distributing allowable costs under grants and contracts together with the allocation methods used.

3. **Cost**, as used herein, means cost as determined on a cash, accrual, or other basis acceptable to the Federal

grantor agency as a discharge of the grantee's accountability for Federal funds.

4. **Cost objective** means a pool, center, or area established for the accumulation of cost. Such areas include organizational units, functions, objects or items of expense, as well as ultimate cost objectives including specific grants, projects, contracts, and other activities.

5. **Federal agency** means any department, agency, commission, or instrumentality in the executive branch of the Federal Government which makes grants to or contracts with State or local governments.

6. **Grant** means an agreement between the Federal Government and a State or local government whereby the Federal Government provides funds or aid in kind to carry out specified programs, services, or activities. The principles and policies stated in this Circular as applicable to grants in general also apply to any federally sponsored cost reimbursement type of agreement performed by a State or local government, including contracts, subcontracts and subgrants.

7. **Grant program** means those activities and operations of the grantee which are necessary to carry out the purposes of the grant, including any portion of the program financed by the grantee.

8. **Grantee** means the department or agency of State or local government which is responsible for administration of the grant.

9. **Local unit** means any political subdivision of government below the State level.

10. **Other State or local agencies** means departments or agencies of the State or local unit which provide goods, facilities, and services to a grantee.

11. **Services**, as used herein, means goods and facilities, as well as services.

12. **Supporting services** means auxiliary functions necessary to sustain the direct effort involved in administering a grant program or an activity providing service to the grant program. These services may be centralized in the grantee department or in some other agency, and include procurement, payroll, personnel functions, maintenance and operation of space, data processing, accounting, budgeting, auditing, mail and messenger service, and the like.

### C. Basic guidelines.

1. **Factors affecting allowability of costs.** To be allowable under a grant program, costs must meet the following general criteria:

a. Be necessary and reasonable for proper and efficient administration of the grant program, be allocable thereto under these principles, and, except as specifically provided herein, not be a general expense required to carry out the overall responsibilities of State or local governments.

b. Be authorized or not prohibited under State or local laws or regulations.

c. Conform to any limitations or exclusions set forth in these principles, Federal laws, or other governing limitations as to types or amounts of cost

items.

d. Be consistent with policies, regulations, and procedures that apply uniformly to both federally assisted and other activities of the unit of government of which the grantee is a part.

e. Be accorded consistent treatment through application of generally accepted accounting principles appropriate to the circumstances.

f. Not be allocable to or included as a cost of any other federally financed program in either the current or a prior period.

g. Be net of all applicable credits.

### 2. Allocable costs.

a. A cost is allocable to a particular cost objective to the extent of benefits received by such objective.

b. Any cost allocable to a particular grant or cost objective under the principles provided for in this Circular may not be shifted to other Federal grant programs to overcome fund deficiencies, avoid restrictions imposed by law or grant agreements, or for other reasons.

c. Where an allocation of joint cost will ultimately result in charges to a grant program, an allocation plan will be required as prescribed in section J.

### 3. Applicable credits.

a. Applicable credits refer to those receipts or reduction of expenditure-type transactions which offset or reduce expense items allocable to grants as direct or indirect costs. Examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; sale of publications, equipment, and scrap; income from personal or incidental services; and adjustments of overpayments or erroneous charges.

b. Applicable credits may also arise when Federal funds are received or are available from sources other than the grant program involved to finance operations or capital items of the grantee. This includes costs arising from the use or depreciation of items donated or financed by the Federal Government to fulfill matching requirements under another grant program. These types of credits should likewise be used to reduce related expenditures in determining the rates or amounts applicable to a given grant.

### D. Composition of cost.

1. **Total cost.** The total cost of a grant program is comprised of the allowable direct cost incident to its performance, plus its allocable portion of allowable indirect costs, less applicable credits.

2. **Classification of costs.** There is no universal rule for classifying certain costs as either direct or indirect under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the grant or other ultimate cost objective. It is essential therefore that each item of cost be treated consistently either as a direct or an indirect cost. Specific guides for determining direct and indirect costs allocable under grant programs are provided in the

sections which follow.

#### **E. Direct costs.**

1. **General.** Direct costs are those that can be identified specifically with a particular cost objective. These costs may be charged directly to grants, contracts, or to other programs against which costs are finally lodged. Direct costs may also be charged to cost objectives used for the accumulation of costs pending distribution in due course to grants and other ultimate cost objectives.

2. **Application.** Typical direct costs chargeable to grant programs are:

a. Compensation of employees for the time and effort devoted specifically to the execution of grant programs.

b. Cost of materials acquired, consumed, or expended specifically for the purpose of the grant.

c. Equipment and other approved capital expenditures.

d. Other items of expense incurred specifically to carry out the grant agreement.

e. Services furnished specifically for the grant program by other agencies, provided such charges are consistent with criteria outlined in Section G. of these principles.

#### **F. Indirect costs.**

1. **General.** Indirect costs are those (a) incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefited, without effort disproportionate to the results achieved. The term "indirect costs," as used herein, applies to costs of this type originating in the grantee department, as well as those incurred by other departments in supplying goods, services, and facilities, to the grantee department. To facilitate equitable distribution of indirect expenses to the cost objectives served, it may be necessary to establish a number of pools of indirect cost within a grantee department or in other agencies providing services to a grantee department. Indirect cost pools should be distributed to benefiting cost objectives on bases which will produce an equitable result in consideration of relative benefits derived.

2. **Grantee departmental indirect costs.** All grantee departmental indirect costs, including the various levels of supervision, are eligible for allocation to grant programs provided they meet the conditions set forth in this Circular. In lieu of determining the actual amount of grantee departmental indirect cost allocable to a grant program, the following methods may be used:

a. **Predetermined fixed rates for indirect costs.** A predetermined fixed rate for computing indirect costs applicable to a grant may be negotiated annually in situations where the cost experience and other pertinent facts available are deemed sufficient to enable the contracting parties to reach an informed judgment (1) as to the probable level of indirect costs in the grantee

department during the period to be covered by the negotiated rate, and (2) that the amount allowable under the predetermined rate would not exceed actual indirect cost.

b. **Negotiated lump sum for overhead.** A negotiated fixed amount in lieu of indirect costs may be appropriate under circumstances where the benefits derived from a grantee department's indirect services cannot be readily determined as in the case of small, self-contained or isolated activity. When this method is used, a determination should be made that the amount negotiated will be approximately the same as the actual indirect cost that may be incurred. Such amounts negotiated in lieu of indirect costs will be treated as an offset to total indirect expenses of the grantee department before allocation to remaining activities. The base on which such remaining expenses are allocated should be appropriately adjusted.

#### **3. Limitation on indirect costs.**

a. Federal grants may be subject to laws that limit the amount of indirect cost that may be allowed. Agencies that sponsor grants of this type will establish procedures which will assure that the amount actually allowed for indirect costs under each such grant does not exceed the maximum allowable under the statutory limitation or the amount otherwise allowable under this Circular, whichever is the smaller.

b. When the amount allowable under a statutory limitation is less than the amount otherwise allocable as indirect costs under this Circular, the amount not recoverable as indirect costs under a grant may not be shifted to another federally sponsored grant program or contract.

#### **G. Cost incurred by agencies other than the grantee.**

1. **General.** The cost of service provided by other agencies may only include allowable direct costs of the service plus a prorata share of allowable supporting costs (section B.12.) and supervision directly required in performing the service, but not supervision of a general nature such as that provided by the head of a department and his staff assistants not directly involved in operations. However, supervision by the head of a department or agency whose sole function is providing the service furnished would be an eligible cost. Supporting costs include those furnished by other units of the supplying department or by other agencies.

2. **Alternative methods of determining indirect cost.** In lieu of determining actual indirect cost related to a particular service furnished by another agency, either of the following alternative methods may be used provided only one method is used for a specific service during the fiscal year involved.

a. **Standard indirect rate.** An amount equal to ten percent of direct labor cost in providing the service performed by another State agency (excluding overtime, shift, or holiday premiums and fringe benefits) may be allowed in lieu of actual allowable indirect cost for that

service.

b. *Predetermined fixed rate.* A predetermined fixed rate for indirect cost of the unit or activity providing service may be negotiated as set forth in section F.2.a.

#### H. Cost incurred by grantee department for others.

1. **General.** The principles provided in section G. will also be used in determining the cost of services provided by the grantee department to another agency.

#### J. Cost allocation plan.

1. **General.** A plan for allocation of costs will be required to support the distribution of any joint costs related to the grant program. All costs included in the plan will be supported by formal accounting records which will substantiate the propriety of eventual charges.

2. **Requirements.** The allocation plan of the grantee department should cover all joint costs of the department as well as cost to be allocated under plans of other agencies or organizational units which are to be included in the costs of federally sponsored programs. The cost allocation plans of all the agencies rendering services to the grantee department, to the extent feasible, should be presented in a single document. The allocation plan should contain, but not necessarily be limited to, the following:

a. The nature and extent of services provided and their relevance to the federally sponsored programs.

b. The items of expense to be included.

c. The methods to be used in distributing cost.

3. **Approval of cost allocation plan.** The allocation plan for a given cost area or objective will serve all the Federal agencies involved.

a. At the State level, the Department of Health, Education, and Welfare will be responsible for the negotiation and approval of the cost allocation plans for central support services to grant programs. The approved plans will be accepted by other Federal agencies, unless an agency determines that the approved plan would result in significant inequitable or improper charges to programs for which it is responsible. The Department of Health, Education, and Welfare will collaborate with the other Federal agencies concerned in the development of guidance material concerning the cost allocation plan and in the negotiation and approval of the plan. It will also collaborate with the States concerning procedures for the administration of the cost allocation plan. The Department of Health, Education, and Welfare will be responsible for the audit of costs resulting from the cost allocation plan, the results of which will be accepted by other Federal agencies.

b. At the grantee department level in a State, and for local governments, Federal agencies will work towards the objective of designating a single Federal agency, the one with predominant interest, which will have responsibility similar to that set forth in a. above for the negotiation and approval of the cost allocation plan and for the audit of costs.

## STANDARDS FOR SELECTED ITEMS OF COST

### ATTACHMENT B FMC 74-4

#### A. Purpose and applicability.

1. **Objective.** This Attachment provides standards for determining the allowability of selected items of cost.

2. **Application.** These standards will apply irrespective of whether a particular item of cost is treated as direct or indirect cost. Failure to mention a particular item of cost in the standards is not intended to imply that it is either allowable or unallowable, rather determination of allowability in each case should be based on the treatment of standards provided for similar or related items of cost. The allowability of the selected items of cost is subject to the general policies and principles stated in Attachment A of this Circular.

#### B. Allowable costs.

1. **Accounting.** The cost of establishing and maintaining accounting and other information systems required for the management of grant programs is allowable. This includes cost incurred by central service agencies for these purposes. The cost of maintaining central accounting records required for overall State or local government purposes, such as appropriation and

fund accounts by the Treasurer, Comptroller, or similar officials, is considered to be a general expense of government and is not allowable.

2. **Advertising.** Advertising media includes newspapers, magazines, radio and television programs, direct mail, trade papers, and the like. The advertising costs allowable are those which are solely for:

a. Recruitment of personnel required for the grant program.

b. Solicitation of bids for the procurement of goods and services required.

c. Disposal of scrap or surplus materials acquired in the performance of the grant agreement.

d. Other purposes specifically provided for in the grant agreement.

3. **Advisory councils.** Costs incurred by State advisory councils or committees established pursuant to Federal requirements to carry out grant programs are allowable. The cost of like organizations is allowable when provided for in the grant agreement.

4. **Audit service.** The cost of audits necessary for the administration and management of functions related to grant programs is allowable.

5. **Bonding.** Costs of premiums on bonds covering employees who handle grantee agency funds are allowable.

6. **Budgeting.** Costs incurred for the development, preparation, presentation, and execution of budgets are allowable. Costs for services of a central budget office are generally not allowable since these are costs of general government. However, where employees of the central budget office actively participate in the grantee agency's budget process, the cost of identifiable services is allowable.

7. **Building lease management.** The administrative cost for lease management which includes review of lease proposals, maintenance of a list of available property for lease, and related activities is allowable.

8. **Central stores.** The cost of maintaining and operating a central stores organization for supplies, equipment, and materials used either directly or indirectly for grant programs is allowable.

9. **Communications.** Communication costs incurred for telephone calls or service, telegraph, teletype service, wide area telephone service (WATS), centrex, telpak (tie lines), postage, messenger service and similar expenses are allowable.

10. **Compensation for personal services.**

a. *General.* Compensation for personal services includes all remuneration, paid currently or accrued, for services rendered during the period of performance under the grant agreement, including but not necessarily limited to wages, salaries, and supplementary compensation and benefits (section B.13.). The costs of such compensation are allowable to the extent that total compensation for individual employees: (1) is reasonable for the services rendered, (2) follows an appointment made in accordance with State or local government laws and rules and which meets Federal merit system or other requirements, where applicable; and (3) is determined and supported as provided in b. below. Compensation for employees engaged in federally assisted activities will be considered reasonable to the extent that it is consistent with that paid for similar work in other activities of the State or local government. In cases where the kinds of employees required for the federally assisted activities are not found in the other activities of the State or local government, compensation will be considered reasonable to the extent that it is comparable to that paid for similar work in the labor market in which the employing government competes for the kind of employees involved. Compensation surveys providing data representative of the labor market involved will be an acceptable basis for evaluating reasonableness.

b. *Payroll and distribution of time.* Amounts charged to grant programs for personal services, regardless of whether treated as direct or indirect costs, will be based on payrolls documented and approved in accordance with generally accepted practice of the State or local agency. Payrolls must be supported by time and attendance or equivalent records for individual employees. Salaries and wages of employees chargeable

to more than one grant program or other cost objective will be supported by appropriate time distribution records. The method used should produce an equitable distribution of time and effort.

11. **Depreciation and use allowances.**

a. Grantees may be compensated for the use of buildings, capital improvements, and equipment through use allowances or depreciation. Use allowances are the means of providing compensation in lieu of depreciation or other equivalent costs. However, a combination of the two methods may not be used in connection with a single class of fixed assets.

b. The computation of depreciation or use allowance will be based on acquisition cost. Where actual cost records have not been maintained, a reasonable estimate of the original acquisition cost may be used in the computation. The computation will exclude the cost or any portion of the cost of buildings and equipment donated or borne directly or indirectly by the Federal Government through charges to Federal grant programs or otherwise, irrespective of where title was originally vested or where it presently resides. In addition, the computation will also exclude the cost of land. Depreciation or a use allowance on idle or excess facilities is not allowable, except when specifically authorized by the grantor Federal agency.

c. Where the depreciation method is followed, adequate property records must be maintained, and any generally accepted method of computing depreciation may be used. However, the method of computing depreciation must be consistently applied for any specific asset or class of assets for all affected federally sponsored programs and must result in equitable charges considering the extent of the use of the assets for the benefit of such programs.

d. In lieu of depreciation, a use allowance for buildings and improvements may be computed at an annual rate not exceeding two percent of acquisition cost. The use allowance for equipment (excluding items properly capitalized as building cost) will be computed at an annual rate not exceeding six and two-thirds percent of acquisition cost of usable equipment.

e. No depreciation or use charge may be allowed on any assets that would be considered as fully depreciated, provided, however, that reasonable use charges may be negotiated for any such assets if warranted after taking into consideration the cost of the facility or item involved, the estimated useful life remaining at time of negotiation, the effect of any increased maintenance charges or decreased efficiency due to age, and any other factors pertinent to the utilization of the facility or item for the purpose contemplated.

12. **Disbursing service.** The cost of disbursing grant program funds by the Treasurer or other designated officer is allowable. Disbursing services cover the processing of checks or warrants, from preparation to redemption, including the necessary records of accountability and reconciliation of such records with related cash accounts.

13. **Employee fringe benefits.** Costs identified under a.

and b. below are allowable to the extent that total compensation for employees is reasonable as defined in section B.10.

a. Employee benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, sick leave, court leave, military leave, and the like, if they are: (1) provided pursuant to an approved leave system, and (2) the cost thereof is equitably allocated to all related activities, including grant programs.

b. Employee benefits in the form of employers' contribution or expenses for social security, employees' life and health insurance plans, unemployment insurance coverage, workmen's compensation insurance, pension plans, severance pay, and the like, provided such benefits are granted under approved plans and are distributed equitably to grant programs and to other activities.

14. **Employee morale, health and welfare costs.** The costs of health or first-aid clinics and/or infirmaries, recreational facilities, employees' counseling services, employee information publications, and any related expenses incurred in accordance with general State or local policy, are allowable. Income generated from any of these activities will be offset against expenses.

15. **Exhibits.** Costs of exhibits relating specifically to the grant programs are allowable.

16. **Legal expenses.** The cost of legal expenses required in the administration of grant programs is allowable. Legal services furnished by the chief legal officer of a State or local government or his staff solely for the purpose of discharging his general responsibilities as legal officer are unallowable. Legal expenses for the prosecution of claims against the Federal Government are unallowable.

17. **Maintenance and repair.** Costs incurred for necessary maintenance, repair, or upkeep of property which neither add to the permanent value of the property nor appreciably prolong its intended life, but keep it in an efficient operating condition, are allowable.

18. **Materials and supplies.** The cost of materials and supplies necessary to carry out the grant programs is allowable. Purchases made specifically for the grant program should be charged thereto at their actual prices after deducting all cash discounts, trade discounts, rebates, and allowances received by the grantee. Withdrawals from general stores or stockrooms should be charged at cost under any recognized method of pricing consistently applied. Incoming transportation charges are a proper part of material cost.

19. **Memberships, subscriptions and professional activities.**

a. **Memberships.** The cost of membership in civic, business, technical and professional organizations is allowable provided: (1) the benefit from the membership is related to the grant program, (2) the expenditure is for agency membership, (3) the cost of the membership is reasonably related to the value of the services or benefits received, and (4) the expenditure is not for membership in an organization which devotes a substantial part of its activities to influencing legislation.

b. **Reference material.** The cost of books, and subscriptions to civic, business, professional, and technical periodicals is allowable when related to the grant program.

c. **Meetings and conferences.** Costs are allowable when the primary purpose of the meeting is the dissemination of technical information relating to the grant program and they are consistent with regular practices followed for other activities of the grantee.

20. **Motor pools.** The costs of a service organization which provides automobiles to user grantee agencies at a mileage or fixed rate and/or provides vehicle maintenance, inspection and repair services are allowable.

21. **Payroll preparation.** The cost of preparing payrolls and maintaining necessary related wage records is allowable.

22. **Personnel administration.** Cost for the recruitment, examination, certification, classification, training, establishment of pay standards, and related activities for grant programs, are allowable.

23. **Printing and reproduction.** Cost for printing and reproduction services necessary for grant administration, including but not limited to forms, reports, manuals, and informational literature, are allowable. Publication costs of reports or other media relating to grant program accomplishments or results are allowable when provided for in the grant agreement.

24. **Procurement service.** The cost of procurement service, including solicitation of bids, preparation and award of contracts, and all phases of contract administration in providing goods, facilities and services for grant programs, is allowable.

25. **Taxes.** In general, taxes or payments in lieu of taxes which the grantee agency is legally required to pay are allowable.

26. **Training and education.** The cost of in-service training, customarily provided for employee development which directly or indirectly benefits grant programs is allowable. Out-of-service training involving extended periods of time is allowable only when specifically authorized by the grantor agency.

27. **Transportation.** Costs incurred for freight, cartage, express, postage and other transportation costs relating either to goods purchased, delivered, or moved from one location to another are allowable.

28. **Travel.** Travel costs are allowable for expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business incident to a grant program. Such costs may be charged on an actual basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip, and results in charges consistent with those normally allowed in like circumstances in nonfederally sponsored activities. The difference in cost between first-class air accommodations and less-than-first-class air accommodations is unallowable except when less-than-first-class air accommodations are not reasonably available.

### **C. Cost allowable with approval of grantor agency**

1. **Automatic data processing.** The cost of data processing services to grant programs is allowable. This cost may include rental of equipment or depreciation on grantee-owned equipment. The acquisition of equipment, whether by outright purchase, rental-purchase agreement or other method of purchase, is allowable only upon specific prior approval of the grantor Federal agency as provided under the selected item for capital expenditures.

2. **Building space and related facilities.** The cost of space in privately or publicly owned buildings used for the benefit of the grant program is allowable subject to the conditions stated below. The total cost of space, whether in a privately or publicly owned building, may not exceed the rental cost of comparable space and facilities in a privately owned building in the same locality. The cost of space procured for grant program usage may not be charged to the program for periods of nonoccupancy, without authorization of the grantor Federal agency.

a. *Rental cost.* The rental cost of space in a privately owned building is allowable.

b. *Maintenance and operation.* The cost of utilities, insurance, security, janitorial services, elevator service, upkeep of grounds, normal repairs and alterations and the like, are allowable to the extent they are not otherwise included in rental or other charges for space.

c. *Rearrangements and alterations.* Cost incurred for rearrangement and alteration of facilities required specifically for the grant program or those that materially increase the value or useful life of the facilities (section C.3.) are allowable when specifically approved by the grantor agency.

d. *Depreciation and use allowances on publicly owned buildings.* These costs are allowable as provided in section B.11.

e. *Occupancy of space under rental-purchase or a lease with option-to-purchase agreement.* The cost of space procured under such arrangements is allowable when specifically approved by the Federal grantor agency.

3. **Capital expenditures.** The cost of facilities, equipment, other capital assets, and repairs which materially increased the value or useful life of capital assets is allowable when such procurement is specifically approved by the Federal grantor agency. When assets acquired with Federal grant funds are (a) sold, (b) no longer available for use in a federally sponsored program, or (c) used for purposes not authorized by the grantor agency, the Federal grantor agency's equity in the asset will be refunded in the same proportion as Federal participation in its cost. In case any assets are traded on new items, only the net cost of the newly acquired assets is allowable.

#### **4. Insurance and indemnification.**

a. Costs of insurance required, or approved and maintained pursuant to the grant agreement, is allowable.

b. Costs of other insurance in connection with the general conduct of activities is allowable subject to the following limitations:

(1) Types and extent and cost of coverage will be in accordance with general State or local government policy and sound business practice.

(2) Costs of insurance or of contributions to any reserve covering the risk of loss of, or damage to, Federal Government property is unallowable except to the extent that the grantor agency has specifically required or approved such costs.

c. Contributions to a reserve for a self-insurance program approved by the Federal grantor agency are allowable to the extent that the type of coverage, extent of coverage, and the rates and premiums would have been allowed had insurance been purchased to cover the risks.

d. Actual losses which could have been covered by permissible insurance (through an approved self-insurance program or otherwise) are unallowable unless expressly provided for in the grant agreement. However, costs incurred because of losses not covered under nominal deductible insurance coverage provided in keeping with sound management practice, and minor losses not covered by insurance, such as spoilage, breakage and disappearance of small hand tools which occur in the ordinary course of operations, are allowable.

e. *Indemnification* includes securing the grantee against liabilities to third persons and other losses not compensated by insurance or otherwise. The Government is obligated to indemnify the grantee only to the extent expressly provided for in the grant agreement, except as provided in d. above.

5. **Management studies.** The cost of management studies to improve the effectiveness and efficiency of grant management for ongoing programs is allowable except that the cost of studies performed by agencies other than the grantee department or outside consultants is allowable only when authorized by the Federal grantor agency.

6. **Preagreement costs.** Costs incurred prior to the effective date of the grant or contract, whether or not they would have been allowable thereunder if incurred after such date, are allowable when specifically provided for in the grant agreement.

7. **Professional services.** Cost of professional services rendered by individuals or organizations not a part of the grantee department is allowable subject to such prior authorization as may be required by the Federal grantor agency.

8. **Proposal costs.** Costs of preparing proposals on potential Federal Government grant agreements are allowable when specifically provided for in the grant agreement.

#### **D. Unallowable costs.**

1. **Bad debts.** Any losses arising from uncollectible accounts and other claims, and related costs, are

unallowable.

2. **Contingencies.** Contribution to a contingency reserve or any similar provision for unforeseen events are unallowable.

3. **Contributions and donations.** Unallowable.

4. **Entertainment.** Costs of amusements, social activities, and incidental costs relating thereto, such as meals, beverages, lodgings, rentals, transportation, and gratuities, are unallowable.

5. **Fines and penalties.** Costs resulting from violations of, or failure to comply with Federal, State and local laws and regulations are unallowable.

6. **Governor's expenses.** The salaries and expenses of the Office of the Governor of a State or the chief executive of a political subdivision are considered a cost of general State or local government and are

unallowable.

7. **Interest and other financial costs.** Interest on borrowings (however represented), bond discounts, cost of financing and refinancing operations, and legal and professional fees paid in connection therewith, are unallowable except when authorized by Federal legislation.

8. **Legislative expenses.** Salaries and other expenses of the State legislature or similar local governmental bodies such as county supervisors, city councils, school boards, etc., whether incurred for purposes of legislation or executive direction, are unallowable.

9. **Underrecovery of costs under grant agreements.** Any excess of cost over the Federal contribution under one grant agreement is unallowable under other grant agreements.

# UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS-IN-AID TO STATE AND LOCAL GOVERNMENTS

Federal Management Circular FMC 74-7

## ATTACHMENT A

### CASH DEPOSITORIES

1. Except for situations described in 2., 3., and 4., below, no grant program shall:

a. Require physical segregation of cash depositories for Federal grant funds which are provided to a State or local government.

b. Establish any eligibility requirements for cash depositories, in which Federal grant funds are deposited by State or local governments.

2. A separate bank account may be used when payments under letter of credit are made on a "checks-paid" basis in accordance with agreements entered into

by a grantee, the Federal Government, and the banking institutions involved.

3. Any moneys advanced to the State or local governments which are determined to be "public moneys" (owned by the Federal Government) must be deposited in a bank with FDIC insurance coverage and the balances exceeding the FDIC coverage must be collaterally secure, as provided for in 12 U.S.C. 265.

4. Consistent with the national goal of expanding the opportunities for minority business enterprises, State and local governments shall be encouraged to use minority banks.

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## ATTACHMENT B

### BONDING AND INSURANCE

1. Except for situations described in 2. and 3., below, Federal grantor agencies shall not impose bonding and insurance requirements, including fidelity bonds, over and above those normally required by the State or local units of government.

2. A State or local unit of government receiving a grant from the Federal Government which requires contracting for construction or facility improvement shall follow its own requirements relating to bid guarantees, performance bonds, and payment bonds except for contracts exceeding \$100,000. For contracts exceeding \$100,000, the minimum requirements shall be as follows:

a. *A bid guarantee from each bidder equivalent to five percent of the bid price.* The "bid guarantee" shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual

documents as may be required within the time specified.

b. *A performance bond on the part of the contractor for 100 percent of the contract price.* A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

c. *A payment bond on the part of the contractor for 100 percent of the contract price.* A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

3. Where the Federal Government guarantees the payment of money borrowed by the grantee, the Federal grantor agency may, at its discretion, require adequate bonding and insurance if the bonding and insurance requirements of a State or local government are not deemed to be sufficient to protect adequately the interest of the Federal Government.

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## ATTACHMENT C

### RETENTION AND CUSTODIAL REQUIREMENTS FOR RECORDS

1. Federal grantor agencies shall not impose record retention requirements over and above those established by the State or local governments receiving Federal grants except that financial records, supporting documents, statistical records, and all other records pertinent to a grant program shall be retained for a period of three years, with the following qualifications:

a. The records shall be retained beyond the three-year period if audit findings have not been resolved.

b. Records for nonexpendable property which was acquired with Federal grant funds shall be retained for three years after its final disposition.

c. When grant records are transferred to or maintained by the Federal grantor agency, the three-year retention requirement is not applicable to the grantee.

2. The retention period starts from the date of the submission of the final expenditure report or, for grants which are renewed annually, from the date of the submission of the annual expenditure report.

3. State and local governments should be authorized, by the Federal grantor agency, if they so desire, to substitute microfilm copies in lieu of original records.

4. The Federal grantor agency shall request transfer of certain records to its custody from State and local governments when it determines that the records possess long-term retention value. However, in order to avoid duplicate recordkeeping a Federal grantor agency may make arrangements with State and local governments to retain any records which are continuously needed for joint use.

5. The head of the Federal grantor agency and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access

to any books, documents, papers, and records of the State and local governments and their subgrantees which are pertinent to a specific grant program for the purpose of making audit, examination, excerpts and transcripts.

6. Unless otherwise required by law, no Federal grantor agency will place restrictions on State and local governments which will limit public access to the State and local governments' records except when records must remain confidential for the following reasons:

a. Prevent a clearly unwarranted invasion of personal privacy.

b. Specifically required by Executive order of statute to be kept secret.

c. Commercial or financial information obtained from a person or a firm on a privileged or confidential basis.

d. Any other information which can be exploited for the purpose of personal gains.

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## ATTACHMENT D

### WAIVER OF "SINGLE" STATE AGENCY REQUIREMENTS

1. Requests to Federal grantor agencies from the Governors, or other duly constituted State authorities, for waiver of the "single" State agency requirements in accordance with section 204 of the Intergovernmental Cooperation Act of 1968 should be given expeditious handling and, whenever possible, an affirmative response should be made to such requests.

2. When it is necessary to refuse a request for waiver of the "single" State agency requirements under section 204, the Federal grantor agency handling such request

will so advise the Office of Management and Budget prior to informing the State that the request cannot be granted. Such advice should indicate the reasons for the denial of the request.

3. Future legislative proposals embracing grant-in-aid programs should avoid inclusion of proposals for "single" State agencies in the absence of compelling reasons to do otherwise. In addition, existing "single" State agency requirements in present grant-in-aid programs should be reviewed and legislative proposals should be developed for the removal of these restrictive provisions.

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## ATTACHMENT E

### PROGRAM INCOME

1. Federal grantor agencies shall apply the standards set forth in this Attachment in requiring State and local government grantees to account for program income related to projects financed in whole or in part with Federal grant funds. For the purpose of this Attachment, program income means gross income earned by the grant-supported activities.

2. In accordance with Section 203 of the Intergovernmental Cooperation Act of 1968 (Public Law 90-577), the States and any agency or instrumentality of a State shall not be held accountable for interest earned on grant-in-aid funds, pending their disbursement for program purposes.

3. Units of local government shall be required to return to the Federal Government interest earned on advances of grant-in-aid funds in accordance with a

decision of the Comptroller General of the United States (42 Comp. Gen. 289).

4. Proceeds from the sale of real and personal property, either provided by the Federal Government or purchased in whole or in part with Federal funds, shall be handled in accordance with the Attachment to this Circular pertaining to Property Management, to be issued at a later date.

5. Royalties received from copyrights and patents during the grant period shall be retained by the grantee and, in accordance with the grant agreement, be either added to the funds already committed to the program or deducted from total project costs for the purpose of determining the net costs on which the Federal share of costs will be based. After termination or completion of the grant, the Federal share of royalties in excess of \$200 received annually shall be returned to the Federal

grantor agency in the absence of other specific agreements between the grantor agency and the grantee. The Federal share of royalties shall be computed on the same ratio basis as the Federal share of the total project cost.

6. All other program income earned during the grant period shall be retained by the grantee and, in accordance with the grant agreement, shall be:

a. Added to funds committed to the project by the grantor and grantee and be used to further eligible

program objectives, or

b. Deducted from the total project costs for the purpose of determining the net costs on which the Federal share of costs will be based.

7. Federal grantor agencies shall require the grantees to record the receipt and expenditure of revenues (such as taxes, special assessments, levies, fines, etc.) as a part of grant project transactions when such revenues are specifically earmarked for a grant project in accordance with grant agreements.

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## ATTACHMENT F

### MATCHING SHARE

1. This Attachment sets forth criteria and procedures for the allowability and evaluation of cash and in-kind contributions made by State and local governments in satisfying matching share requirements of Federal grants.

2. The following definitions apply for the purpose of this Attachment:

a. *Project costs.* Project costs are all necessary charges made by a grantee in accomplishing the objectives of a grant during the grant period. For matching share purposes, project costs are limited to the allowable types of costs as set forth in Office of Management and Budget Circular No. A-87.

b. *Matching share.* In general, matching share represents that portion of project costs not borne by the Federal Government. Usually, a minimum percentage for matching share is prescribed by program legislation, and matching share requirements are included in the grant agreements.

c. *Cash contributions.* Cash contributions represent the grantee's cash outlay, including the outlay of money contributed to the grantee by other public agencies and institutions, and private organizations and individuals. When authorized by Federal legislation, Federal funds received from other grants may be considered as grantee's cash contributions.

d. *In-kind contributions.* In-kind contributions represent the value of noncash contributions provided by (1) the grantee, (2) other public agencies and institutions, and (3) private organizations and individuals. In-kind contributions may consist of charges for real property and equipment, and value of goods and services directly benefiting and specifically identifiable to the grant program. When authorized by Federal legislation, property purchased with Federal funds may be considered as grantee's in-kind contributions.

3. General guidelines for computing matching share are as follows:

a. Matching share may consist of:

(1) Charges incurred by the grantee as project costs. Not all charges require cash outlays during the

grant period by the grantee; examples are depreciation and use charges for buildings and equipment.

(2) Project costs financed with cash contributed or donated to the grantee by other public agencies and institutions, and private organizations and individuals.

(3) Project costs represented by services and real personal property, or use thereof, donated by other public agencies and institutions, and private organizations and individuals.

b. All in-kind contributions shall be accepted as part of the grantee's matching share when such contributions meet the following criteria:

(1) Are identifiable from the grantee's records;

(2) Are not included as contributions for any other federally-assisted program;

(3) Are necessary and reasonable for proper and efficient accomplishment of project objectives; and

(4) Conform to other provisions of this Attachment.

4. Specific procedures for the grantees in placing the value on in-kind contributions from private organizations and individuals are set forth below:

a. *Valuation of volunteer services.* Volunteer services may be furnished by professional and technical personnel, consultants, and other skilled and unskilled labor. Each hour of volunteer service may be counted as matching share if the service is an integral and necessary part of an approved program.

(1) *Rates for volunteer services.* Rates for volunteers should be consistent with those regular rates paid for similar work in other activities of the State or local government. In cases where the kinds of skills required for the federally-assisted activities are not found in the other activities of the grantee, rates used should be consistent with those paid for similar work in the labor market in which the grantee competes for the kind of services involved.

(2) *Volunteers employed by other organizations.* When an employer other than the grantee furnishes the services of an employee, these services shall be valued at the employee's regular rate of pay (exclusive of fringe benefits and overhead cost) provided these services are in

the same skill for which the employee is normally paid.

b. *Valuation of materials.* Contributed materials include office supplies, maintenance supplies or workshop and classroom supplies. Prices assessed to donated materials included in the matching share should be reasonable and should not exceed the cost of the materials to the donor or current market prices, whichever is less, at the time they are charged to the project.

c. *Valuation of donated equipment, buildings and land or use of space.*

(1) The method used for charging matching share for donated equipment, buildings, and land may differ depending upon the purpose of the grant as follows:

(a) If the purpose of the grant is to furnish equipment, buildings, or land to the grantee or otherwise provide a facility, the total value of the donated property may be claimed as a matching share.

(b) If the purpose of the grant is to support activities that require the use of equipment, buildings or land on a temporary or part-time basis, depreciation or use charges for equipment and buildings may be made; and fair rental charges for land may be made provided that the grantor agency has approved the charges.

(2) The value of donated property will be

determined as follows:

(a) *Equipment and buildings.* The value of donated equipment or buildings should be based on the donor's cost less depreciation or the current market prices of similar property, whichever is less.

(b) *Land or use of space.* The value of donated land or its usage charge should be established by an independent appraiser (i.e., private realty firm or GSA representatives) and certified by the responsible official of the grantee.

d. *Valuation of other charges.* Other necessary charges incurred specifically for and in direct benefit to the grant program in behalf of the grantee may be accepted as matching share provided that they are adequately supported and permissible under the law. Such charges must be reasonable and properly justifiable.

5. The following requirements pertain to the grantee's supporting records for in-kind contribution from private organizations and individuals:

a. The number of hours of volunteer services must be supported by the same methods used by the grantee for its employees.

b. The basis for determining the charges for personal services, material, equipment, buildings, and land must be documented.

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## ATTACHMENT G

### STANDARDS FOR GRANTEE FINANCIAL MANAGEMENT SYSTEMS

1. This Attachment prescribes standards for financial management systems of grant-supported activities of State and local governments. Federal grantor agencies shall not impose additional standards on grantees unless specifically provided for in other Attachments to this Circular. However, grantor agencies are encouraged to make suggestions and assist the grantees in establishing or improving financial management systems when such assistance is needed or requested.

2. Grantee financial management systems shall provide for:

a. Accurate, current, and complete disclosure of the financial results of each grant program in accordance with Federal reporting requirements. When a Federal grantor agency requires reporting on an accrual basis and the grantee's accounting records are not kept on that basis, the grantee should develop such information through an analysis of the documentation on hand or on the basis of best estimates.

b. Records which identify adequately the source and application of funds for grant-supported activities. These records shall contain information pertaining to grant awards and authorizations, obligations,

unobligated balances, assets, liabilities, outlays, and income.

c. Effective control over and accountability for all funds, property, and other assets. Grantees shall adequately safeguard all such assets and shall assure that they are used solely for authorized purposes.

d. Comparison of actual with budgeted amounts for each grant. Also, relation of financial information with performance or productivity data, including the production of unit cost information whenever appropriate and required by the grantor agency.

e. Procedures to minimize the time elapsing between the transfer of funds from the U.S. Treasury and the disbursement by the grantee, whenever funds are advanced by the Federal Government. When advances are made by a letter-of-credit method, the grantee shall make drawdowns from the U.S. Treasury through his commercial bank as close as possible to the time of making the disbursements.

f. Procedures for determining the allowability and allocability of costs in accordance with the provisions of Office of Management and Budget Circular No. A-87.

g. Accounting records which are supported by source documentation.

h. Audits to be made by the grantee or at his direction to determine, at a minimum, the fiscal integrity

of financial transactions and reports, and the compliance with laws, regulations, and administrative requirements. The grantee will schedule such audits with reasonable frequency, usually annually, but not less frequently than once every two years, considering the nature, size, and complexity of the activity.

i. A systematic method to assure timely and appropriate resolution of audit findings and recommendations.

3. Grantees shall require subgrantees (recipients of grants which are passed through by the grantee) to adopt all of the standards in paragraph 2 above.

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## ATTACHMENT H

### FINANCIAL REPORTING REQUIREMENTS

1. This Attachment prescribes requirements for grantees to report financial information to grantor agencies and to request advances and reimbursement when a letter-of-credit method is not used, and promulgates standard forms incident thereto.

2. The following definitions apply for the purposes of this Attachment:

a. *Accrued expenditures.* Accrued expenditures are the charges incurred by the grantee during a given period requiring the provision of funds for: (1) goods and other tangible property received; (2) services performed by employees, contractors, subgrantees, and other payees; and (3) amounts becoming owed under programs for which no current services or performance are required.

b. *Accrued income.* Accrued income is the earnings during a given period which is a source of funds resulting from (1) services performed by the grantee, (2) goods and other tangible property delivered to purchasers, and (3) amounts becoming owed to the grantee for which no current services or performance are required by the grantee.

c. *Disbursements.* Disbursements are payments in cash or by check.

d. *Federal funds authorized.* Funds authorized represent the total amount of the Federal funds authorized for obligations and establish the ceilings for obligation of Federal funds. This amount may include any authorized carryover of unobligated funds from prior fiscal years.

e. *In-kind contributions.* In-kind contributions represent the value of noncash contributions provided by (1) the grantee, (2) other public agencies and institutions, and (3) private organizations and individuals. In-kind contributions may consist of charges for real property and equipment, and value of goods and services directly benefiting and specifically identifiable to the grant program. When authorized by Federal legislation, property purchased with Federal funds may be considered as grantee's in-kind contributions.

f. *Obligations.* Obligations are the amounts of orders placed, contracts and grants awarded, services received, and similar transactions during a given period, which will require payment during the same or a future period.

g. *Outlays.* Outlays represent charges made to the

grant project or program. Outlays can be reported on a cash or accrued expenditure basis.

h. *Program income.* Program income represents earnings by the grantee realized from the grant-supported activities. Such earnings exclude interest income and may include, but will not be limited to, income from service fees, sale of commodities, usage or rental fees, sale of assets purchased with grant funds, and royalties on patents and copyrights. Program income can be reported on a cash or accrued income basis.

i. *Unobligated balance.* The unobligated balance is the portion of the funds authorized by the Federal agency which has not been obligated by the grantee and is determined by deducting the cumulative obligations from the funds authorized.

j. *Unpaid obligations.* Unpaid obligations represent the amount of obligations incurred by the grantee which have not been paid.

3. Only the following forms will be authorized for obtaining financial information from State and local governments for grants-in-aid programs.

a. *Financial Status Report (Exhibit 1)*

(1) Each Federal grantor agency shall require grantees to use the standard Financial Status Report to report the status of funds for all nonconstruction grant programs. The grantor agencies may, however, have the option of not requiring the Financial Status Report when the Request for Advance or Reimbursement (paragraph 4a) is determined to provide adequate information to meet their needs, except that a final Financial Status Report shall be required at the completion of the grant when the Request for Advance or Reimbursement form is used only for advances.

(2) The grantor agency shall prescribe whether the report shall be on a cash or accrual basis. If the grantor agency requires accrual information and the grantee's accounting records are not normally kept on the accrual basis, the grantee should develop such information through an analysis of the documentation on hand or on the basis of best estimates.

(3) The grantor agency shall determine the frequency of the Financial Status Report for each grant program considering the size and complexity of the particular program. However, the report shall not be required more frequently than quarterly or less

frequently than annually. Also, a final report shall be required at the completion of the grant.

(4) The original and two copies of the Financial Status Report shall be submitted 30 days after the end of each specified reporting period. In addition, final reports shall be submitted 90 days after the end of the grant period or the completion of the project or program. Extensions to reporting due dates may be granted when requested by the grantee.

*b. Report of Federal Cash Transactions (Exhibit 2)*

(1) When funds are advanced to grantees through letters of credit or with Treasury checks, the Federal grantor agencies shall require each grantee to submit a Report of Federal Cash Transactions. The Federal grantor agency shall use this report to monitor cash advanced to grantees and to obtain disbursement or outlay information for each grant or project from the grantees.

(2) Grantor agencies may require forecasts of Federal cash requirements in the Remarks section of the report.

(3) When practical and deemed necessary, the grantor agencies may require grantees to report in the Remarks section the amount of cash in excess of three days' requirements in the hands of subgrantees or other secondary recipients and to provide short narrative explanations of actions taken by the grantees to reduce the excess balances.

(4) Grantor agencies may accept the identical information from the grantees in a machine-usable format in lieu of the Report of Federal Cash Transactions.

(5) Grantees shall be required to submit the original and two copies of the Report of Federal Cash Transactions no later than 15 working days following the end of each quarter. For those grantees receiving annual grants totalling one million dollars or more, the Federal grantor agencies may require a monthly report.

(6) Grantor agencies may waive the requirement for submission of the Report of Federal Cash Transactions when monthly advances do not exceed \$10,000 per grantee provided that such advances are monitored through other forms contained in this Attachment or the grantee's accounting controls are adequate to minimize excessive Federal advances.

4. Except as noted below, only the following forms will be authorized for the grantees in requesting advances and reimbursements.

*a. Request for Advance or Reimbursement (Exhibit 3)*

(1) Each grantor agency shall adopt the Request for Advance or Reimbursement as the standard form for all nonconstruction grant programs when letters of credit or predetermined automatic advance methods are not used. Agencies, however, have the option of using this form for construction programs in lieu of the Outlay Report and Request for Reimbursement for Construction Programs (paragraph 4b).

(2) Grantees shall be authorized to submit requests for advances or reimbursement at least monthly when letters of credit are not used. Grantees shall submit the original and two copies of the Request for Advance or Reimbursement.

*b. Outlay Report and Request for Reimbursement for Construction Programs (Exhibit 4)*

(1) Each grantor agency shall adopt the Outlay Report and Request for Reimbursement for Construction Programs as the standard format to be used for requesting reimbursement for construction programs. The grantor agencies may, however, have the option of substituting the Request for Advance or Reimbursement (paragraph 4a) in lieu of this form when the grantor agencies determine that the former provides adequate information to meet their needs.

(2) Grantees shall be authorized to submit requests for reimbursement at least monthly when letters of credit are not used. Grantees shall submit the original and two copies of the Outlay Report and Request for Reimbursement for Construction Programs.

5. When the grantor agencies need additional information in using these forms, the following shall be observed:

a. When necessary to comply with legislative requirements, grantor agencies shall issue instructions to require grantees to submit such information under the Remarks section of the reports.

b. When necessary to meet specific program needs, grantor agencies shall submit the proposed reporting requirements to the Office of Management and Budget for approval under the exception provision of this Circular.

c. The grantor agency, in obtaining information as in paragraphs a and b above, must also comply with report clearance requirements of the Office of Management and Budget Circular No. A-40, as revised.

6. Federal grantor agencies are authorized to reproduce these forms. The forms for reproduction purposes can be obtained from the Office of Management and Budget and are available both in letter size and legal size; the larger size provides more space where large dollar amounts are involved.

## ATTACHMENT I

### MONITORING AND REPORTING OF PROGRAM PERFORMANCE

1. This Attachment sets forth the procedures for monitoring and reporting program performance under Federal grants. These procedures are designed to place greater reliance on State and local governments to manage the day-to-day operations of the grant-supported activities.

2. Grantees shall constantly monitor the performance under grant-supported activities to assure that time schedules are being met, projected work units by time periods are being accomplished, and other performance goals are being achieved. This review shall be made for each program, function, or activity of each grant as set forth in the approved grant application.

3. Grantees shall submit a performance report for each grant which briefly presents the following for each program, function, or activity involved:

a. A comparison of actual accomplishments to the goals established for the period. Where the output of grant programs can be readily quantified, such quantitative data should be related to cost data for computation of unit costs.

b. Reasons for slippage in those cases where established goals were not met.

c. Other pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

4. Grantees shall submit the performance reports to grantor agencies with the Financial Status Reports, in the frequency established by Attachment H of this Circular. The grantor agency shall prescribe the frequency with which the performance reports will be

submitted with the Request for Advance or Reimbursement when that form is used in lieu of the Financial Status Report. In no case shall the performance reports be required more frequently than quarterly or less frequently than annually.

5. Between the required performance reporting dates, events may occur which have significant impact upon the project or program. In such cases, the grantee shall inform the grantor agency as soon as the following types of conditions become known:

a. Problems, delays, or adverse conditions which will materially affect the ability to attain program objectives, prevent the meeting of time schedules and goals, or preclude the attainment of project work units by established time periods. This disclosure shall be accompanied by a statement of the action taken, or contemplated, and any Federal assistance needed to resolve the situation.

b. Favorable developments or events which enable meeting time schedules and goals sooner than anticipated or producing more work units than originally projected.

6. If any performance review conducted by the grantee discloses the need for change in the budget estimates in accordance with the criteria established in Attachment K to this Circular, the grantee shall submit a request for budget revision.

7. The grantor agency shall make site visits as frequently as practicable to:

a. Review program accomplishments and management control systems.

b. Provide such technical assistance as may be required.

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## ATTACHMENT J

### GRANT PAYMENT REQUIREMENTS

1. This Attachment establishes required methods of making grant payments to State and local governments that will minimize the time elapsing between the disbursement by a grantee and the transfer of funds from the United States Treasury to the grantee, whether such disbursement occurs prior to or subsequent to the transfer of funds.

2. Grant payments are made to grantees through a letter of credit, an advance by Treasury check, or a reimbursement by Treasury check. The following definitions apply for the purpose of this Attachment:

a. *Letter of credit.* A letter of credit is an instrument certified by an authorized official of a grantor agency which authorizes a grantee to draw funds when needed from the Treasury, through a Federal

Reserve Bank and the grantee's commercial bank, in accordance with the provisions of Treasury Circular No. 1075.

b. *Advance by Treasury check.* An advance by Treasury check is a payment made by a Treasury check to a grantee upon its request or through the use of predetermined payment schedules before payments are made by the grantee.

c. *Reimbursement by Treasury check.* A reimbursement by Treasury check is a payment made to a grantee with a Treasury check upon request for reimbursement from the grantee.

3. Except for construction grants for which the letter-of-credit method is optional, the letter-of-credit funding method shall be used by grantor agencies where all of the following conditions exist:

a. When there is or will be a continuing relationship between a grantee and a Federal grantor agency for at least a 12-month period and the total amount of advances to be received within that period from the grantor agency is \$250,000, or more, as prescribed by Treasury Circular No. 1075.

b. When the grantee has established or demonstrated to the grantor the willingness and ability to establish procedures that will minimize the time elapsing between the transfer of funds and their disbursement by the grantee.

c. When the grantee's financial management system meets the standards for fund control and accountability prescribed in Attachment G to this Circular, "Standards for Grantee Financial Management Systems."

4. The method of advancing funds by Treasury check shall be used, in accordance with the provisions of Treasury Circular No. 1075, when the grantee meets all of the requirements specified in paragraph 3 above except those in 3.a.

5. The reimbursement by Treasury check method shall be the preferred method when the grantee does not

meet the requirements specified in either or both of paragraphs 3.b. and 3.c. This method may also be used when the major portion of the program is accomplished through private market financing or Federal loans, and when the Federal grant assistance constitutes a minor portion of the program.

6. Unless otherwise required by law, grantor agencies shall not withhold payments for proper charges made by State and local governments at any time during the grant period unless (a) a grantee has failed to comply with the program objectives, grant award conditions, or Federal reporting requirements, or (b) the grantee is indebted to the United States and collection of the indebtedness will not impair accomplishment of the objectives of any grant program sponsored by the United States. Under such conditions, the grantor may, upon reasonable notice, inform the grantee that payments will not be made for obligations incurred after a specified date until the conditions are corrected or the indebtedness to the Federal government is liquidated.

7. Attachment H of this Circular, "Financial Reporting," provides for the procedures and forms for requesting advances or reimbursements.

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## ATTACHMENT K

### BUDGET REVISION PROCEDURES

1. This Attachment promulgates criteria and procedures to be followed by Federal grantor agencies in requiring grantees to report deviations from grant budgets and to request approvals for budget revisions.

2. The grant budget as used in this Attachment means the approved financial plan for both the Federal and nonfederal shares to carry out the purpose of the grant. This plan is the financial expression of the project or program as approved during the grant application and award process. It should be related to performance for program evaluation purposes whenever appropriate and required by the grantor agency.

3. For nonconstruction grants, State and local governments shall request prior approvals promptly from grantor agencies for budget revisions whenever:

a. The revision results from changes in the scope or the objective of the grant-supported program.

b. The revision indicates the need for additional Federal funding.

c. The grant budget is over \$100,000 and the cumulative amount of transfers among direct cost object class budget categories exceeds or is expected to exceed \$10,000, or five percent of the grant budget, whichever is greater. The same criteria apply to the cumulative amount of transfers among programs, functions, and activities when budgeted separately for a grant, except that the grantor agency shall permit no transfer which would cause any Federal appropriation, or part thereof,

to be used for purposes other than those intended.

d. The grant budget is \$100,000, or less, and the cumulative amount of transfers among direct cost object class budget categories exceeds or is expected to exceed five percent of the grant budget. The same criteria apply to the cumulative amount of transfers among programs, functions, and activities when budgeted separately for a grant, except that the grantor agency shall permit no transfer which would cause any Federal appropriation, or part thereof, to be used for purposes other than those intended.

e. The revisions involve the transfer of amounts budgeted for indirect costs to absorb increases in direct costs.

f. The revisions pertain to the addition of items requiring approval in accordance with the provisions of Office of Management and Budget Circular No. A-87.

4. All other changes to nonconstruction grant budgets, except for the changes described in paragraph 6, do not require approval. These changes include (a) the use of grantee funds in furtherance of program objectives over and above the grantee minimum share included in the approved grant budget and (b) the transfer of amounts budgeted for direct costs to absorb authorized increases in indirect costs.

5. For construction grants, State and local governments shall request prior approvals promptly from grantor agencies for budget revisions whenever:

a. The revision results from changes in the scope or

the objective of the grant-supported programs.

b. The revision increases the budgeted amounts of Federal funds needed to complete the project.

6. When a grantor agency awards a grant which provides support for both construction and nonconstruction work, the grantor agency may require the grantee to request prior approval from the grantor agency before making any fund or budget transfers between the two types of work supported.

7. For both construction and nonconstruction grants, grantor agencies shall require State and local governments to notify the grantor agency promptly whenever the amount of Federal authorized funds is expected to exceed the needs of the grantee by more than \$5,000 or 5 percent of the Federal grant, whichever is

greater. This notification will not be required when applications for additional funding are submitted for continuing grants.

8. When requesting approval for budget revisions, grantees shall use the budget forms which were used in the grant application. However, grantees may request by letter the approvals required by the provisions of Office of Management and Budget Circular No. A-87.

9. Within 30 days from the date of receipt of the request for budget revisions, grantor agencies shall review the request and notify the grantee whether or not the budget revisions have been approved. If the revision is still under consideration at the end of 30 days, the grantor shall inform the grantee in writing as to when the grantee may expect the decision.

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## ATTACHMENT L

### GRANT CLOSEOUT PROCEDURES

1. This Attachment prescribes uniform closeout procedures for Federal grants to State and local governments.

2. The following definitions shall apply for the purpose of this Attachment:

a. *Grant closeout.* The closeout of a grant is the process by which a Federal grantor agency determines that all applicable administrative actions and all required work of the grant have been completed by the grantee and the grantor.

b. *Date of completion.* The date when all work under a grant is completed or the date in the grant award document, or any supplement or amendment thereto, on which Federal assistance ends.

c. *Termination.* The termination of a grant means the cancellation of Federal assistance, in whole or in part, under a grant at any time prior to the date of completion.

d. *Suspension.* The suspension of a grant is an action by a Federal grantor agency which temporarily suspends Federal assistance under the grant pending corrective action by the grantee or pending a decision to terminate the grant by the grantor agency.

e. *Disallowed costs.* Disallowed costs are those charges to a grant which the grantor agency or its representative determines to be unallowable. (See Office of Management and Budget Circular No. A-87.)

3. All Federal grantor agencies shall establish grant closeout procedures which include the following requirements:

a. Upon request, the Federal grantor agency shall make prompt payments to a grantee for allowable reimbursable costs under the grant being closed out.

b. The grantee shall immediately refund to the grantor agency any unencumbered balance of cash advanced to the grantee.

c. The grantor agency shall obtain from the grantee within 90 days after the date of completion of the grant all financial, performance, and other reports required as a condition of the grant. The agency may grant extensions when requested by the grantee.

d. The grantor agency shall make a settlement for any upward or downward adjustments to the Federal share of costs after these reports are received.

e. The grantee shall account for any property acquired with grant funds, or received from the Government in accordance with the provisions of Attachment N to this Circular.

f. In the event a final audit has not been performed prior to the closeout of the grant, the grantor agency shall retain the right to recover an appropriate amount after fully considering the recommendations on disallowed costs resulting from the final audit.

4. All Federal grantor agencies shall provide procedures to be followed when a grantee has failed to comply with the grant award stipulations, standards, or conditions. When that occurs, the grantor agency may, on reasonable notice to the grantee, suspend the grant, and withhold further payments, or prohibit the grantee from incurring additional obligations of grant funds, pending corrective action by the grantee or a decision to terminate in accordance with paragraph 5.a. The grantor agency may allow all necessary and proper costs which the grantee could not reasonably avoid during the period of suspension provided that they meet the provisions of Office of Management and Budget Circular No. A-87.

5. Subject to the provisions of paragraph 7 of the basic Circular of which this Attachment is a part, all Federal grantor agencies shall provide for the systematic settlement of terminated grants including the following:

a. *Termination for cause.* The grantor agency may terminate any grant in whole, or in part, at any time

before the date of completion, whenever it is determined that the grantee has failed to comply with the conditions of the grant. The grantor agency shall promptly notify the grantee in writing of the determination and the reasons for the termination, together with the effective date. Payments made to grantees or recoveries by the grantor agencies under grants terminated for cause shall be in accord with the legal rights and liabilities of the parties.

b. *Termination for convenience.* The grantor agency or grantee may terminate grants in whole, or in

part, when both parties agree that the continuation of the project would not produce beneficial results commensurate with the further expenditure of funds. The two parties shall agree upon the termination conditions, including the effective date and, in the case of partial terminations, the portion to be terminated. The grantee shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. The Federal agency shall allow full credit to the grantee for the Federal share of the noncancellable obligations, properly incurred by the grantee prior to termination.

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## ATTACHMENT M

### STANDARD FORMS FOR APPLYING FOR FEDERAL ASSISTANCE

1. This Attachment promulgates standard forms to be used by State and local governments in applying for all Federal grants except those Federal formula grant programs which do not require grantees to apply for Federal funds on a project basis.

2. The standard forms and their purposes are briefly described in the following paragraphs:

a. *Preapplication for Federal Assistance (Exhibit 1).* Preapplication for Federal Assistance is used to: (1) establish communication between the Federal grantor agency and the applicant; (2) determine the applicant's eligibility; (3) determine how well the project can compete with similar applications from others; and (4) eliminate any proposals which have little or no chance for Federal funding before applicants incur significant expenditures for preparing an application. Preapplication forms shall be required for all construction, land acquisition and land development projects or programs for which the need for Federal funding exceeds \$100,000. The Federal grantor agency may require the use of the preapplication form for other types of grant programs or those for which the Federal fund request is for \$100,000 or less. In addition, Federal agencies shall establish procedures allowing State and local government applicants to submit, if they so desire, the preapplication form when mandatory requirements for preapplication do not exist.

b. *Notice of Review Action (Exhibit 2).* The purpose of the Notice of Review Action is to inform the applicant of the results of the review of the preapplication forms which were submitted to Federal grantor agencies. The Federal grantor agency shall send a notice to the applicant within 45 days of the receipt of the preapplication form. When the review cannot be made within 45 days, the applicant shall be informed by letter as to when the review will be completed.

c. *Federal Assistance Application for Nonconstruction Programs (Exhibit 3).* The Federal Assistance Application for Nonconstruction Programs

form is designed to accommodate several programs and shall be used by the applicant for all actions covered by this Attachment except where the major purpose of the grant involves construction, land acquisition, or development or single-purpose and one-time grant applications for less than \$10,000 which do not require clearinghouse approval, an environmental impact statement, or the relocation of persons, businesses, or farms.

d. *Federal Assistance Application for Construction Programs (Exhibit 4).* The Federal Assistance Application for Construction Programs form shall be used for all grants where the major purpose of the program involves construction, land acquisition, and land development, except when the Application for Federal Assistance-Short Form (paragraph 2e) is used.

e. *Application for Federal Assistance—Short Form (Exhibit 5).* The Application for Federal Assistance-Short Form shall be used for all grants for single-purpose and one-time grant applications for less than \$10,000 not requiring clearinghouse approval, an environmental impact statement, or the relocation of persons, businesses, or farms. Federal grantor agencies may, at their discretion, authorize the use of this form for applications for larger amounts.

3. For all forms described herein, the following shall apply:

a. All requests by grantees for changes, continuations, and supplementals to approved grants shall be submitted on the same form as the original application. For these purposes, only the required pages of the forms should be submitted.

b. Grantor agencies may issue supplementary instructions to the standard forms to:

(1) Specify and describe the programs, functions, or activities which will be used to plan, budget, and evaluate the work under the grant programs.

(2) Provide amplification or specifics to the requirements for program narrative statements. These changes will require Office of Management and Budget approval under the provisions of paragraph 8 of the

basic Circular of which this Attachment is a part.

(3) Design report forms for additional information to meet legal and program management requirements. These forms shall be submitted for report form clearance in accordance with Office of Management and Budget Circular No. A-40, as revised.

c. Grantees shall submit the original and two copies of the application.

d. Federal grantor agencies are authorized to reproduce these forms. The forms for reproduction purposes can be obtained from the Office of Management and Budget.

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## ATTACHMENT N

### PROPERTY MANAGEMENT STANDARDS

1. This Attachment prescribes uniform standards governing the utilization and disposition of property furnished by the Federal Government or acquired in whole or in part with Federal funds by State and local governments. Federal grantor agencies shall require State and local governments to observe these standards under grants from the Federal Government and shall not impose additional requirements unless specifically required by Federal law. The grantees shall be authorized to use their own property management standards and procedures as long as the provisions of this Attachment are included.

2. The following definitions apply for the purpose of this Attachment:

a. *Real property.* Real property means land, land improvements, structures and appurtenances thereto, excluding movable machinery and equipment.

b. *Personal property.* Personal property means property of any kind except real property. It may be tangible — having physical existence, or intangible — having no physical existence, such as patents, inventions, and copyrights.

c. *Nonexpendable personal property.* Nonexpendable personal property means tangible personal property having a useful life of more than one year and an acquisition cost of \$300 or more per unit. A grantee may use its own definition of nonexpendable personal property provided that such definition would at least include all tangible personal property as defined above.

d. *Expendable personal property.* Expendable personal property refers to all tangible personal property other than nonexpendable property.

e. *Excess property.* Excess property means property under the control of any Federal agency which, as determined by the head thereof, is no longer required for its needs.

3. Each Federal grantor agency shall prescribe requirements for grantees concerning the use of real property funded partly or wholly by the Federal Government. Unless otherwise provided by statute, such requirements, as a minimum, shall contain the following:

a. The grantee shall use the real property for the authorized purpose of the original grant as long as needed.

b. The grantee shall obtain approval by the grantor agency for the use of the real property in other projects when the grantee determines that the property is no longer needed for the original grant purposes. Use in other projects shall be limited to those under other Federal grant programs, or programs that have purposes consistent with those authorized for support by the grantor.

c. When the real property is no longer needed as provided in a. and b., above, the grantee shall return all real property furnished or purchased wholly with Federal grant funds to the control of the Federal grantor agency. In the case of property purchased in part with Federal grant funds, the grantee may be permitted to take title to the Federal interest therein upon compensating the Federal Government for its fair share of the property. The Federal share of the property shall be the amount computed by applying the percentage of the Federal participation in the total cost of the grant program for which the property was acquired to the current fair market value of the property.

4. Standards and procedures governing ownership, use, and disposition of nonexpendable personal property furnished by the Federal Government or acquired with Federal funds are set forth below:

a. *Nonexpendable personal property acquired with Federal funds.* When nonexpendable personal property is acquired by a grantee wholly or in part with Federal funds, title will not be taken by the Federal Government except as provided in paragraph 4a (4), but shall be vested in the grantee subject to the following restrictions on use and disposition of the property:

(1) The grantee shall retain the property acquired with Federal funds in the grant program as long as there is a need for the property to accomplish the purpose of the grant program whether or not the program continues to be supported by Federal funds. When there is no longer a need for the property to accomplish the purpose of the grant program, the grantee shall use the property in connection with other Federal grants it has received in the following order of priority:

(a) Other grants of the same Federal grantor agency needing the property.

(b) Grants of other Federal agencies needing the property.

(2) When the grantee no longer has need for the

property in any of its Federal grant programs, the property may be used for its own official activities in accordance with the following standards:

(a) *Nonexpendable property with an acquisition cost of less than \$500 and used four years or more.* The grantee may use the property for its own official activities without reimbursement to the Federal Government or sell the property and retain the proceeds.

(b) *All other nonexpendable property.* The grantee may retain the property for its own use provided that a fair compensation is made to the original grantor agency for the latter's share of the property. The amount of compensation shall be computed by applying the percentage of Federal participation in the grant program to the current fair market value of the property.

(3) If the grantee has no need for the property, disposition of the property shall be made as follows:

(a) *Nonexpendable property with an acquisition cost of \$1,000 or less.* Except for that property which meets the criteria of (2) (a) above, the grantee shall sell the property and reimburse the Federal grantor agency an amount which is computed in accordance with (iii) below.

(b) *Nonexpendable property with an acquisition cost of over \$1,000.* The grantee shall request disposition instructions from the grantor agency. The Federal agency shall determine whether the property can be used to meet the agency's requirement. If no requirement exists within that agency, the availability of the property shall be reported to the General Services Administration (GSA) by the Federal agency to determine whether a requirement for the property exists in other Federal agencies. The Federal grantor agency shall issue instructions to the grantee within 120 days and the following procedures shall govern:

(i) If the grantee is instructed to ship the property elsewhere, the grantee shall be reimbursed by the benefiting federal agency with an amount which is computed by applying the percentage of the grantee's participation in the grant program to the current fair market value of the property, plus any shipping or interim storage costs incurred.

(ii) If the grantee is instructed to otherwise dispose of the property, he shall be reimbursed by the Federal grantor agency for such costs incurred in its disposition.

(iii) If disposition instructions are not issued within 120 days after reporting, the grantee shall sell the property and reimburse the Federal grantor agency an amount which is computed by applying the percentage of Federal participation in the grant program to the sales proceeds. Further, the grantee shall be permitted to retain \$100 or 10 percent of the proceeds, whichever is greater, for the grantee's selling and handling expenses.

(4) Where the grantor agency determines that property with an acquisition cost of \$1,000 or more and financed solely with Federal funds is unique, difficult, or costly to replace, it may reserve title to such property,

subject to the following provisions:

(a) The property shall be appropriately identified in the grant agreement or otherwise made known to the grantee.

(b) The grantor agency shall issue disposition instructions within 120 days after the completion of the need for the property under the Federal grant for which it was acquired. If the grantor agency fails to issue disposition instructions within 120 days, the grantee shall apply the standards of 4a(1), 4a(2) (b), and 4a(3) (b).

b. *Federally-owned nonexpendable personal property.* Unless statutory authority to transfer title has been granted to an agency, title to Federally-owned property (property to which the Federal Government retains title including excess property made available by the Federal grantor agencies to grantees) remains vested by law in the Federal Government. Upon termination of the grant or need for the property, such property shall be reported to the grantor agency for further agency utilization or, if appropriate, for reporting to the General Services Administration for other Federal agency utilization. Appropriate disposition instructions will be issued to the grantee after completion of Federal agency review.

5. The grantees' property management standards for nonexpendable personal property shall also include the following procedural requirements:

a. Property records shall be maintained accurately and provide for: a description of the property; manufacturer's serial number or other identification number; acquisition date and cost; source of the property; percentage of Federal funds used in the purchase of property; location, use, and condition of the property; and ultimate disposition data including sales price or the method used to determine current fair market value if the grantee reimburses the grantor agency for its share.

b. A physical inventory of property shall be taken and the results reconciled with the property records at least once every two years to verify the existence, current utilization, and continued need for the property.

c. A control system shall be in effect to insure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft of nonexpendable property shall be investigated and fully documented.

d. Adequate maintenance procedures shall be implemented to keep the property in good condition.

e. Proper sales procedures shall be established for unneeded property which would provide for competition to the extent practicable and result in the highest possible return.

6. When the total inventory value of any unused expendable personal property exceeds \$500 at the expiration of need for any Federal grant purposes, the grantee may retain the property or sell the property as long as he compensates the Federal Government for its

share in the cost. The amount of compensation shall be computed in accordance with 4a (2) (b).

7. Specific standards for control of intangible property are provided as follows:

a. If any program produces patents, patent rights, processes, or inventions, in the course of work aided by a Federal grant, such fact shall be promptly and fully reported to the grantor agency. The grantor agency shall determine whether protection on such invention or discovery shall be sought and how the rights in the invention or discovery — including rights under any patent issued thereon — shall be disposed of and

administered in order to protect the public interest consistent with "Government Patent Policy" (President's Memorandum for Heads of Executive Departments and Agencies, August 23, 1971, and Statement of Government Patent Policy as printed in 36 F.R. 16889).

b. Where the grant results in a book or other copyrightable material, the author or grantee is free to copyright the work, but the Federal grantor agency reserves a royalty-free, nonexclusive and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use the work for Government purposes.

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## ATTACHMENT O

### PROCUREMENT STANDARDS

1. This Attachment provides standards for use by the State and local governments in establishing procedures for the procurement of supplies, equipment, construction, and other services with Federal grant funds. These standards are furnished to insure that such materials and services are obtained in an effective manner and in compliance with the provisions of applicable Federal law and Executive orders. No additional requirements shall be imposed by the Federal agencies upon the grantees unless specifically required by Federal law or Executive orders.

2. The Standards contained in this Attachment do not relieve the grantee of the contractual responsibilities arising under its contracts. The grantee is the responsible authority, without recourse to the grantor agency regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurements entered into, in support of a grant. This includes but is not limited to: disputes, claims, protests of award, source evaluation or other matters of a contractual nature. Matters concerning violation of law are to be referred to such local, State, or Federal authority as may have proper jurisdiction.

3. Grantees may use their own procurement regulations which reflect applicable State and local law, rules and regulations provided that procurements made with Federal grant funds adhere to the standards set forth as follows:

a. The grantee shall maintain a code or standards of conduct which shall govern the performance of its officers, employees, or agents in contracting with and expending Federal grant funds. Grantee's officers, employees or agents, shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or potential contractors. To the extent permissible by State or local law, rules or regulations, such standards shall provide for penalties, sanctions, or other disciplinary actions to be applied for violations of

such standards by either the grantee officers, employees, or agents, or by contractors or their agents.

b. All procurement transactions regardless of whether negotiated or advertised and without regard to dollar value shall be conducted in a manner so as to provide maximum open and free competition. The grantee should be alert to organizational conflicts of interest or noncompetitive practices among contractors which may restrict or eliminate competition or otherwise restrain trade.

c. The grantee shall establish procurement procedures which provide for, as a minimum, the following procedural requirements:

(1) Proposed procurement actions shall be reviewed by grantee officials to avoid purchasing unnecessary or duplicative items. Where appropriate, an analysis shall be made of lease and purchase alternatives to determine which would be the most economical, practical procurement.

(2) Invitations for bids or requests for proposals shall be based upon a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. "Brand name or equal" description may be used as a means to define the performance or other salient requirements of a procurement, and when so used the specific features of the named brand which must be met by offerors should be clearly specified.

(3) Positive efforts shall be made by the grantees to utilize small business and minority-owned business sources of supplies and services. Such efforts should allow these sources the maximum feasible opportunity to compete for contracts to be performed utilizing Federal grant funds.

(4) The type of procuring instruments used (i.e., fixed price contracts, cost reimbursable contracts, purchase orders, incentive contracts, etc.), shall be

appropriate for the particular procurement and for promoting the best interest of the grant program involved. The "cost-plus-a-percentage-of-cost" method of contracting shall not be used.

(5) Formal advertising, with adequate purchase description, sealed bids, and public openings shall be the required methods of procurement unless negotiation pursuant to paragraph (6) below is necessary to accomplish sound procurement. However, procurements of \$2,500 or less need not be so advertised unless otherwise required by State or local law or regulations. Where such advertised bids are obtained the awards shall be made to the responsible bidder whose bid is responsive to the invitation and is most advantageous to the grantee, price and other factors considered. (Factors such as discounts, transportation costs, taxes may be considered in determining the lowest bid.) Invitations for bids shall clearly set forth all requirements which the bidder must fulfill in order for his bid to be evaluated by the grantee. Any or all bids may be rejected when it is in the grantee's interest to do so, and such rejections are in accordance with applicable State and local law, rules, and regulations.

(6) Procurements may be negotiated if it is impracticable and unfeasible to use formal advertising. Generally, procurements may be negotiated by the grantee if:

(a) The public exigency will not permit the delay incident to advertising;

(b) The material or service to be procured is available from only one person or firm; (All contemplated sole source procurements where the aggregate expenditure is expected to exceed \$5,000 shall be referred to the grantor agency for prior approval.)

(c) The aggregate amount involved does not exceed \$2,500;

(d) The contract is for personal or professional services, or for any service to be rendered by a university, college, or other educational institutions;

(e) The material or services are to be procured and used outside the limits of the United States and its possessions;

(f) No acceptable bids have been received after formal advertising;

(g) The purchases are for highly perishable materials or medical supplies, for material or services where the prices are established by law, for technical items or equipment requiring standardization and interchangeability of parts with existing equipment, for experimental, developmental or research work, for supplies purchased for authorized resale, and for technical or specialized supplies requiring substantial initial investment for manufacture;

(h) Otherwise authorized by law, rules, or regulations. Notwithstanding the existence of circumstances justifying negotiation, competition shall be obtained to the maximum extent practicable.

(7) Contracts shall be made only with

responsible contractors who possess the potential ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be given to such matters as contractor integrity, record of past performance, financial and technical resources, or accessibility to other necessary resources.

(8) Procurement records or files for purchases in amounts in excess of \$2,500 shall provide at least the following pertinent information: justification for the use of negotiation in lieu of advertising, contractor selection, and the basis for the cost or price negotiated.

(9) A system for contract administration shall be maintained to assure contractor conformance with terms, conditions, and specifications of the contract or order, and to assure adequate and timely followup of all purchases.

4. The grantee shall include, in addition to provisions to define a sound and complete agreement, the following provisions in all contracts and subgrants:

a. Contracts shall contain such contractual provisions or conditions which will allow for administrative, contractual, or legal remedies in instances where contractors violate or breach contracts terms, and provide for such sanctions and penalties as may be appropriate.

b. All contracts, amounts for which are in excess of \$2,500, shall contain suitable provisions for termination by the grantee including the manner by which it will be effected and the basis for settlement. In addition, such contracts shall describe conditions under which the contract may be terminated for default as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor.

c. In all contracts for *construction* or facility improvement awarded in excess of \$100,000, grantees shall observe the bonding requirements provided in Attachment B to this Circular.

d. All contracts and subgrants in excess of \$10,000 shall include provisions for compliance with Executive Order No. 11246, entitled, "Equal Employment Opportunity," as supplemented in Department of Labor Regulations (41 CFR, Part 60). Each contractor or subgrantee shall be required to have an affirmative action plan which declares that it does not discriminate on the basis of race, color, religion, creed, national origin, sex, and age and which specifies goals and target dates to assure the implementation of that plan. The grantee shall establish procedures to assure compliance with this requirement by contractors or subgrantees and to assure that suspected or reported violations are promptly investigated.

e. All contracts and subgrants for *construction* or repair shall include a provision for compliance with the Copeland "Anti-Kick Back" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR, Part 3). This Act provides that each contractor or subgrantee shall be prohibited from inducing, by any

means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled. The grantee shall report all suspected or reported violations to the grantor agency.

f. When required by the Federal grant program legislation, all *construction* contracts awarded by grantees and subgrantees in excess of \$2,000 shall include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 276a to a-7) and as supplemented by Department of Labor regulations (29 CFR, Part 5). Under this Act contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less often than once a week. The grantee shall place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation and the award of a contract shall be conditioned upon the acceptance of the wage determination. The grantee shall report all suspected or reported violations to the grantor agency.

g. Where applicable, all contracts awarded by grantees and subgrantees in excess of \$2,000 for *construction* contracts and in excess of \$2,500 for other contracts which involve the employment of mechanics or laborers shall include a provision for compliance with sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor regulations (29 CFR, Part 5). Under section 103 of the Act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard work day of 8 hours and a standard work week of 40 hours. Work in excess of the standard work-day or work-week is permissible provided that the worker is compensated at a rate of not less than 1 1/2 times the basic rate of pay for all hours worked in excess of 8 hours in any calendar day or 40 hours in the work week. Section 107 of the Act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health and safety as determined under construction, safety, and health standards promulgated by the Secretary of Labor. These requirements do not

apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

h. Contracts or agreements, the principal purpose of which is to create, develop, or improve products, processes or methods; or for exploration into fields which directly concern public health, safety, or welfare; or contracts in the field of science or technology in which there has been little significant experience outside of work funded by Federal assistance, shall contain a notice to the effect that matters regarding rights to inventions, and materials generated under the contract or agreement are subject to the regulations issued by the Federal grantor agency and the grantee. The contractor shall be advised as to the source of additional information regarding these matters.

i. All negotiated contracts (except those of \$2,500 or less) awarded by grantees shall include a provision to the effect that the grantee, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the contractor which are directly pertinent to a specific grant program for the purpose of making audit, examination, excerpts, and transcriptions.

j. Each contract of an amount in excess of \$2,500 awarded by a grantee or subgrantee shall provide that the recipient will comply with applicable regulations and standards of the Cost of Living Council in establishing wages and prices. The provision shall advise the recipient that submission of a bid or offer or the submittal of an invoice or voucher for property, goods, or services furnished under a contract or agreement with the grantee shall constitute a certification by him that amounts to be paid do not exceed maximum allowable levels authorized by the Cost of Living Council regulations or standards. Violations shall be reported to the grantor agency and the local Internal Revenue Service field office.

k. Contracts and subgrants of amounts in excess of \$100,000 shall contain a provision which requires the recipient to agree to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act of 1970. Violations shall be reported to the grantor agency and the Regional Office of the Environmental Protection Agency.

**Title 28—Judicial Administration**  
**CHAPTER I—DEPARTMENT OF JUSTICE**

**PART 42—NONDISCRIMINATION: EQUAL OPPORTUNITY: POLICIES AND PROCEDURES**

**Subpart E—Equal Employment  
Opportunity Guidelines**

On March 9, 1973, the Law Enforcement Assistance Administration of the Department of Justice (LEAA), promulgated equal employment opportunity guidelines (28 CFR 42.301, et seq., Subpart E). The second paragraph of those guidelines reads as follows:

In accordance with the spirit of the public policy set forth in 5 U.S.C. 553, interested persons may submit written comments, suggestions, data or arguments to the Administrator, Law Enforcement Assistance Administration, U.S. Department of Justice, Washington, D.C., 20530, Attention: Office of Civil Rights Compliance, within 45 days of the publication of the guidelines contained in this part. Material thus submitted will be evaluated and acted upon in the same manner as if this document were a proposal. Until such time as further changes are made, however, Part 42, Subpart E as set forth herein shall remain in effect, thus permitting the public business to proceed more expeditiously.

In accordance with the preceding paragraph, written comments, suggestions, data or arguments have been received by the Administrator of the Law Enforcement Assistance Administration. Material submitted has been evaluated and changes deemed by LEAA to be appropriate have been incorporated into revised equal employment opportunity guidelines, the text of which follows.

By virtue of the authority vested in it by 5 U.S.C. 301, and section 501 of the Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. 90-351, 82 Stat. 197, as amended, the Law Enforcement Assistance Administration hereby issues Title 28, Chapter I, Subpart E of Part 42 of the Code of Federal Regulations. In that the material contained herein is a matter relating to the grant program of the Law Enforcement Assistance Administration, the relevant provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable.

**Subpart E—Equal Employment Opportunity  
Guidelines**

Sec.	
42.301	Purpose.
42.302	Application.
42.303	Evaluation of employment opportunities.
42.304	Written Equal Employment Opportunity Program.
42.305	Recordkeeping and certification.
42.306	Guidelines.
42.307	Obligations of recipients.
42.308	Noncompliance.

AUTHORITY: 5 U.S.C. sec. 501 of the Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. 90-351, 82 Stat. 197, as amended.

**Subpart E—Equal Employment  
Opportunity Guidelines**

**§ 42.301 Purpose.**

(a) The experience of the Law Enforcement Assistance Administration in implementing its responsibilities under the Omnibus Crime Control and Safe Streets Act of 1968, as amended, (Pub. L. 90-351, 82 Stat. 197; Pub. L. 91-644, 84 Stat. 1881) has demonstrated that the full and equal participation of women and minority individuals in employment opportunities in the criminal justice system is a necessary component to the Safe Streets Act's program to reduce crime and delinquency in the United States.

(b) Pursuant to the authority of the Safe Streets Act and the equal employment opportunity regulations of the LEAA relating to LEAA assisted programs and activities (28 CFR 42.201, et seq., Subpart D), the following Equal Employment Opportunity Guidelines are established.

**§ 42.302 Application.**

(a) As used in these guidelines "Recipient" means any state, political sub-division of any state, combination of such states or subdivisions, or any department, agency or instrumentality of any of the foregoing receiving Federal financial assistance from LEAA, directly or through another recipient, or with respect to whom an assurance of civil rights compliance given as a condition of the earlier receipt of assistance is still in effect.

(b) The obligation of a recipient to formulate, implement, and maintain an equal employment opportunity program, in accordance with this Subpart, extends to state and local police agencies, correctional agencies, criminal court systems, probation and parole agencies, and similar agencies responsible for the reduction and control of crime and delinquency.

(c) Assignments of compliance responsibility for Title VI of the Civil Rights Act of 1964 have been made by the Department of Justice to the Department of Health, Education, and Welfare, covering educational institutions and general hospital or medical facilities. Similarly, the Department of Labor, in pursuance of its authority under Executive Orders 11246 and 11375, has assigned responsibility for monitoring equal employment opportunity under government contracts with medical and educational institutions, and non-profit organizations, to the Department of Health, Education, and Welfare. Accordingly, monitoring responsibility

in compliance matters in agencies of the kind mentioned in this paragraph rests with the Department of Health, Education, and Welfare, and agencies of this kind are exempt from the provisions of this subpart, and are not responsible for the development of equal employment opportunity programs in accordance herewith.

(d) Each recipient of LEAA assistance within the criminal justice system which has 50 or more employees and which has received grants or subgrants of \$25,000 or more pursuant to and since the enactment of the Safe Streets Act of 1968, as amended, and which has a service population with a minority representation of 3 percent or more is required to formulate, implement and maintain an Equal Employment Opportunity Program relating to employment practices affecting minority persons and women within 120 days after either the promulgation of these amended guidelines, or the initial application for assistance is approved, whichever is sooner. Where a recipient has 50 or more employees, and has received grants or subgrants of \$25,000 or more, and has a service population with a minority representation of less than 3 percent, such recipient is required to formulate, implement, and maintain an equal employment opportunity program relating to employment practices affecting women. For a definition of "employment practices" within the meaning of this paragraph, see § 42.202(b).

(e) "Minority persons" shall include persons who are Negro, Oriental, American-Indian, or Spanish-surnamed Americans. "Spanish-surnamed Americans" means those of Latin American, Cuban, Mexican, Puerto Rican or Spanish origin. In Alaska, Eskimos and Aleuts should be included as "American Indians."

(f) For the purpose of these guidelines, the relevant "service population" shall be determined as follows:

(1) For adult and juvenile correctional institutions, facilities and programs (including probation and parole programs), the "service population" shall be the inmate or client population served by the institution, facility, or program during the preceding fiscal year.

(2) For all other recipient agencies (e.g., police and courts), the "service population" shall be the State population for state agencies, the county population for county agencies, and the municipal population for municipal agencies.

(g) "Fiscal year" means the twelve calendar months beginning July 1, and ending June 30, of the following calendar year. A fiscal year is designated by the calendar year in which it ends.

#### **§ 42.303 Evaluation of employment opportunities.**

(a) A necessary prerequisite to the development and implementation of a satisfactory Equal Employment Opportunity Program is the identification and analysis of any problem areas inherent in the utilization or participation of minorities and women in all of the recipient's employment phases (e.g., recruitment, selection, and promotion) and the evaluation of employment

opportunities for minorities and women.

(b) In many cases an effective Equal Employment Opportunity Program may only be accomplished where the program is coordinated by the recipient agency with the cognizant Civil Service Commission or similar agency responsible by law, in whole or in part, for the recruitment and selection of entrance candidates and selection of candidates for promotion.

(c) In making the evaluation of employment opportunities, the recipient shall conduct such analysis separately for minorities and women. However, all racial and ethnic data collected to perform an evaluation pursuant to the requirements of this section should be cross classified by sex to ascertain the extent to which minority women or minority men may be underutilized. The evaluation should include but not necessarily be limited to, the following factors:

(1) An analysis of present representation of women and minority persons in all job categories;

(2) An analysis of all recruitment and employment selection procedures for the preceding fiscal year, including such things as position descriptions, application forms, recruitment methods and sources, interview procedures, test administration and test validity, educational prerequisites, referral procedures and final selection methods, to insure that equal employment opportunity is being afforded in all job categories;

(3) An analysis of seniority practices and provisions, upgrading and promotion procedures, transfer procedures (lateral or vertical), and formal and informal training programs during the preceding fiscal year, in order to insure that equal employment opportunity is being afforded;

(4) A reasonable assessment to determine whether minority employment is inhibited by external factors such as the lack of access to suitable housing in the geographical area served by a certain facility or the lack of suitable transportation (public or private) to the workplace.

#### **§ 42.304 Written Equal Employment Opportunity Program.**

Each recipient's Equal Employment Opportunity Program shall be in writing and shall include:

(a) A job classification table or chart which clearly indicates for each job classification or assignment the number of employees within each respective job category classified by race, sex and national origin (include for example Spanish-surnamed, Oriental, and American Indian). Also, principal duties and rates of pay should be clearly indicated for each job classification. Where auxiliary duties are assigned or more than one rate of pay applies because of length of time in the job or other factors, a special notation should be made. Where the recipient operates more than one shift or assigns employees within each shift to varying locations, as in law enforcement agencies, the number by race, sex and national origin on each shift and in each location should be identified. When relevant, the recipient should indi-

cate the racial/ethnic mix of the geographic area of assignments by the inclusion of minority population and percentage statistics.

(b) The number of disciplinary actions taken against employees by race, sex, and national origin within the preceding fiscal year, the number and types of sanctions imposed (suspension indefinitely, suspension for a term, loss of pay, written reprimand, oral reprimand, other) against individuals by race, sex, and national origin.

(c) The number of individuals by race, sex and national origin (if available) applying for employment within the preceding fiscal year and the number by race, sex and national origin (if available) of those applicants who were offered employment and those who were actually hired. If such data is unavailable, the recipient should institute a system for the collection of such data.

(d) The number of employees in each job category by race, sex, and national origin who made application for promotion or transfer within the preceding fiscal year and the number in each job category by race, sex, and national origin who were promoted or transferred.

(e) The number of employees by race, sex, and national origin who were terminated within the preceding fiscal year, identifying by race, sex, and national origin which were voluntary and involuntary terminations.

(f) Available community and area labor characteristics within the relevant geographical area including total population, workforce and existing unemployment by race, sex, and national origin. Such data may be obtained from the Bureau of Labor Statistics, Washington, D.C., state and local employment services, or other reliable sources. Recipients should identify the sources of the data used.

(g) A detailed narrative statement setting forth the recipient's existing employment policies and practices as defined in § 42.202(b). Thus, for example, where testing is used in the employment selection process, it is not sufficient for the recipient to simply note the fact. The recipient should identify the test, describe the procedures followed in administering and scoring the test, state what weight is given to test scores, how a cut-off score is established and whether the test has been validated to predict or measure job performance and, if so, a detailed description of the validation study. Similarly detailed responses are required with respect to other employment policies, procedures, and practices used by the applicant.

(1) The statement should include the recipient's detailed analysis of existing employment policies, procedures, and practices as they relate to employment of minorities and women, (see § 42.303) and, where improvements are necessary, the statement should set forth in detail the specific steps the recipient will take for the achievement of full and equal employment opportunity. For example, The Equal Employment Opportunity Commission, in carrying out its responsibilities in ensuring compliance with Title VII has published Guidelines on Employee Selection Procedures (29 CFR Part 1607) which, among other things, pro-

scribes the use of employee selection practices, procedures and devices (such as tests, minimum educational levels, oral interviews and the like) which have not been shown by the user thereof to be related to job performance and where the use of such an unvalidated selection device tends to disqualify a disproportionate number of minority individuals or women for employment. The EEOC Guidelines set out appropriate procedures to assist in establishing and maintaining equal employment opportunities. Recipients of LEAA assistance using selection procedures which are not in conformity with the EEOC Guidelines shall set forth the specific areas of nonconformity, the reasons which may explain any such nonconformity, and, if necessary, the steps the recipient agency will take to correct any existing deficiency.

(2) The recipient should also set forth a program for recruitment of minority persons based on an informed judgment of what is necessary to attract minority applications including, but not necessarily limited to, dissemination of posters, use of advertising media patronized by minorities, minority group contacts and community relations programs. As appropriate, recipients may wish to refer to recruitment techniques suggested in Revised Order No. 4 of the Office of Federal Contract Compliance, U.S. Department of Labor, found at 41 CFR 60-2.24(e).

(h) Plan for dissemination of the applicant's Equal Employment Opportunity Program to all personnel, applicants and the general public. As appropriate, recipients may wish to refer to the recommendations for dissemination of policy suggested in Revised Order No. 4 of the Office of Federal Contract Compliance, U.S. Department of Labor, found at 41 CFR 60-2.21.

(i) Designation of specified personnel to implement and maintain adherence to the Equal Employment Opportunity Program and a description of their specific responsibilities suggested in Revised Order No. 4 of the Office of Federal Contract Compliance, U.S. Department of Labor, found at 41 CFR 60-2.22.

#### § 42.305 Record keeping and certification.

The Equal Employment Opportunity Program and all records used in its preparation shall be kept on file and retained by each recipient covered by these guidelines for subsequent audit or review by responsible personnel of the cognizant state planning agency or the LEAA. Prior to the authorization to fund new or continuing programs under the Omnibus Crime Control and Safe Streets Act of 1968, the recipient shall file a certificate with the cognizant state planning agency or LEAA regional office stating that the equal employment opportunity program is on file with the recipient. The form of the certification shall be as follows:

I, ..... (person filing the application) certify that the ..... (criminal justice agency) has formulated an equal employment opportunity program in accordance with 28 CFR 42.301, et seq., Subpart E, and that it is on file in the Office of ..... (name),

..... (address), ..... (title), for review or audit by officials of the cognizant state planning agency or the Law Enforcement Assistance Administration, as required by relevant laws and regulations.

The criminal justice agency created by the Governor to implement the Safe Streets Act within each state shall certify that it requires, as a condition of the receipt of block grant funds, that recipients from it have executed an Equal Employment Opportunity Program in accordance with this subpart, or that, in conformity with the terms and conditions of this regulation no equal employment opportunity programs are required to be filed by that jurisdiction.

#### § 42.306 Guidelines.

(a) Recipient agencies are expected to conduct a continuing program of self-evaluation to ascertain whether any of their recruitment, employee selection or promotional policies (or lack thereof) directly or indirectly have the effect of denying equal employment opportunities to minority individuals and women.

(b) Post award compliance reviews of recipient agencies will be scheduled by LEAA, giving priority to any recipient agencies which have a significant disparity between the percentage of minority persons in the service population and the percentage of minority employees in the agency. Equal employment program modification may be suggested by LEAA whenever identifiable referral or selection procedures and policies suggest to LEAA the appropriates of improved selection procedures and policies. Accordingly, any recipient agencies falling within this category are encouraged to develop recruitment, hiring or promotional guidelines under their equal employment opportunity program which will correct, in a timely manner, any identifiable employment impediments which may have contributed to the existing disparities.

(c) A significant disparity between minority representation in the service population and the minority representation in the agency workforce may be deemed to exist if the percentage of a minority group in the employment of the agency is not at least seventy (70) percent of the percentage of that minority in the service population.

#### § 42.307 Obligations of recipients.

The obligation of those recipients subject to these Guidelines for the maintenance of an Equal Employment Opportunity Program shall continue for the period during which the LEAA assistance is extended to a recipient or for the period during which a comprehensive law enforcement plan filed pursuant to the Safe Streets Act is in effect within the State, whichever is longer, unless the assurances of compliance, filed by a recipient in accordance with § 42.204(a) (2), specify a different period.

#### § 42.308 Noncompliance.

Failure to implement and maintain an Equal Employment Opportunity Program as required by these Guidelines shall subject recipients of LEAA assistance to the sanctions prescribed by the Safe Streets Act and the equal employment opportunity regulations of the Department of Justice. (See 42 U.S.C. 3757 and § 42.206).

*Effective date.* — This Guideline shall become effective on August 31, 1973.

Dated August 24, 1973.

DONALD E. SANTARELLI,  
*Administrator, Law Enforcement  
Assistance Administration.*

[FR. Doc. 73 — 18555 Filed 8-30-73; 8:45 am]

## APPLICABILITY OF HATCH ACT PROVISIONS TO LOCAL AGENCY OFFICERS AND EMPLOYEES

The original Hatch Act ("an act to prevent pernicious political activities"), enacted in 1939, did not include state or local agency officers or employees. 53 Stat. 1147. The 1940 amendment, 54 Stat. 767, extended the Act to cover these individuals. In 1966, the laws relating to the organization of the United States Government, including the Hatch Act, were revised, codified, and enacted as Title 5 of the United States Code. Public Law 89-554. Hatch Act provisions thus reenacted in Title 5 were repealed, 80 Stat. 632, so that the appropriate statutory reference today is no longer to the Hatch Act, but to the applicable sections of said Title 5.

On October 15, 1974, the Federal Elections Campaign Act of 1971, Public Law 92-225, was amended. This law amended portions of the Hatch Act affecting state and local employees.

The specific section amended was 18 U.S.C. 1502(a)(3) which stated "that a state or local officer or employee may not take an active part in political management or in political campaigns". It was changed to read "(3) be a candidate for elective office."

The effect of this change is that State and local employees working under the auspices of LEAA grants may now take an active part in political management and in political campaigns, provided that such activities are not prohibited by State or local law. State and local employees working under the auspices of LEAA grants may not be candidates.

The definition of a "state or local officer or employee" appears in section 1501 (4) as follows:

"An individual employed by a state or local agency whose principal employment is in connection with an

activity which is financed in whole or in part by loans or grants made by the United States or a federal agency, but does not include—

- (A) an individual who exercises no functions in connection with that activity; or
- (B) an individual employed by an educational or research institution, establishment, agency, or system which is supported in whole or in part by a state or political subdivision thereof, or by a recognized religious, philanthropic, or cultural organization."

It is thus clear that, with some exceptions, officers and employees of a local government agency engaged in a LEAA financed activity are subject to chapter 15 if their principal employment is in connection with such activity. It has been held that a person's part time position may be his "principal employment" within the meaning of chapter 15. *Smyth v. United States Civil Service Commission*, 291 F. Supp. 568 (1968).

If the United States Civil Service Commission after a hearing determines that a violation of section 1502 has occurred warranting the dismissal of the officer or employee, it notifies him and his agency of such determination. If within 30 days after such notice the offending officer or employee has not been dismissed or, though dismissed, has been reappointed within 18 months, LEAA will be required to withhold from its grants to the agency to which notice was given an amount equal to 2 years' pay at the rate the officer or employee was receiving at the time of violation. Sections 1504 thru 1506. Details of procedure will be found in sections 1507 and 1508.



