

CHAPTER 79**SAFE AND SECURE COMMUNITIES PROGRAM****Authority**

N.J.S.A. 52:17B-169.

Source and Effective Date

R.1993 d.596, effective October 22, 1993.
See: 25 N.J.R. 4511(a), 25 N.J.R. 5353(a).

Executive Order No. 66(1978) Expiration Date

Chapter 79, Safe and Secure Communities Program, expires on October 22, 1998.

Chapter Historical Note

Chapter 79, Safe and Secure Communities Program, was adopted as emergency new rules R.1993 d.476, effective August 27, 1993 (to expire October 26, 1993). The provisions of R.1993 d.476 were readopted as R.1993 d.596. See: Source and Effective Date.

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SUBCHAPTER 1. PURPOSE, SCOPE, DEFINITIONS**13:79-1.1 Purpose**

This chapter describes the grants available from the Safe Neighborhoods Services Fund pursuant to the Safe and Secure Communities Act and establishes guidelines for the receipt of program funds and procedures to ensure grantee accountability.

13:79-1.2 Scope

The rules contained in this chapter shall govern the award of law enforcement personnel grants and law enforcement equipment grants from the Safe Neighborhoods Services Fund pursuant to the Safe and Secure Communities Act.

13:79-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

“Act” means the Safe and Secure Communities Act, P.L. 1993, c.220 (N.J.S.A. 52:17B-159 et seq.).

“Commissioner” means the Commissioner of the Department of Community Affairs.

“Director” means the Director of the Division of Criminal Justice.

“Eligible municipality” means a municipality, which has a police department or force, in which the number of violent and nonviolent crimes per police officer exceeds 70 percent of the Statewide average of municipalities with a municipal police department or force, as reported in the 1991 Uniform Crime Report published by the Division of State Police.

“Fringe benefits” means payments made by the employer for an employee’s retirement, social security, health and dental insurance, workers compensation, and unemployment, disability and survivor’s insurance.

“Fund” means the Safe Neighborhoods Services Fund.

“Law enforcement equipment” or “equipment” means that equipment required for the provision of law enforcement services including, but not limited to, police cars, computers and peripheral equipment, police radios and other communications gear, weapons and body armor.

“Law enforcement project” or “project” means a project employing police officers for which a grant is awarded pursuant to this program.

“Other law enforcement personnel” means non-police employees who enhance a project’s law enforcement capaci-

ty by performing paperwork and related support services, thereby allowing police officers to devote more time to direct community policing duties.

"Program" means the "Safe and Secure Communities Program."

SUBCHAPTER 2. THE SAFE AND SECURE COMMUNITIES PROGRAM

13:79-2.1 Program objectives

(a) The Safe and Secure Communities Program is designed to provide assistance to municipalities for programs which accomplish the following objectives, as warranted by the needs of the community:

1. Policing in a community-oriented manner through an emphasis on the use of foot patrols, personal interaction between police officers and residents, and participation in community crime prevention programs;
2. Targeting law enforcement activities toward the specific needs of persons who live or work in a particular neighborhood, such as children, senior citizens, or merchants;
3. Encouraging resident involvement in activities that contribute to crime prevention, including citizen patrols, safe houses, neighborhood watch groups, and crime prevention educational programs;
4. Reducing the incidence of criminal behavior, such as drug trafficking or youth gang activity, that disrupts the normal functioning of a community;
5. Implementing the Violent Offenders Removal Program (VORP) to identify and expeditiously apprehend violent criminals who operate within a targeted area; and
6. Developing other innovative strategies which hold promise for preventing or reducing crime within a defined neighborhood or with respect to a particular demographic group within the municipality.

13:79-2.2 Fund use and limitations

(a) Of the monies deposited in the fund, 75 percent shall be available for approved law enforcement projects and 25 percent shall be available for the purchase of law enforcement equipment, exclusive of the allocation to the Attorney General to enable the Division of Criminal Justice to provide technical and operational assistance to grantees.

(b) No more than 50 percent of the total dollar amount of grants awarded from the fund shall be allocated to municipalities eligible to receive State aid pursuant to P.L. 1985, c.170 (N.J.S.A. 52:27D-118.11a, b, and c; Safe and Clean Neighborhood Fund).

(c) Notwithstanding any law or regulation to the contrary, a municipality may expend grant moneys in the local budget year in which they are received.

13:79-2.3 Notification and award of funds

(a) Program grants shall be awarded in two annual cycles.

1. Applicant municipalities with a fiscal year starting January 1 shall be notified of grant approval or denial no later than October 30. These grants shall be awarded on January 1.

2. Applicant municipalities with a fiscal year starting July 1 shall be notified of grant approval or denial no later than April 30. These grants shall be awarded on July 1.

13:79-2.4 Application for funds

All municipalities applying for funds for both law enforcement personnel grants and law enforcement equipment grants must submit separate proposals to the Division of Criminal Justice by the deadline dates specified in the program request for proposals available from the Division of Criminal Justice.

13:79-2.5 Application components for initial program grants

(a) Problem Statement: Applications for program grants shall include a narrative description of the need for grant funding and how the funding will be used to further the program objectives.

1. Law enforcement personnel grant application shall clearly describe the problem the project will address. In addition, law enforcement personnel grant applications shall:

i. Include such statistics as municipal arrest rates, reported crimes, juvenile offenses, and other data relevant to the project;

ii. Provide a brief description of current municipal efforts and activities that deal with crime that are being planned or implemented;

iii. Provide a brief synopsis of the ability of the municipal police department to implement the program, including information that describes the target area, defines whether a neighborhood or entire municipality is included in the project, specifies how the officers will be deployed, including their work schedules and hours and shifts that will be affected, and outlines the policing strategies that will be employed; and

iv. Include indicators by which progress in achieving program objectives and the project's purpose will be measured.

2. Law enforcement equipment grant applications shall include information on the type, amount, and estimated cost of the equipment requested. The application shall also indicate how the equipment will be deployed, its benefit to the community, and any other relevant information.

(b) Objectives: Applications for program grants shall include objectives and an explanation of how the objectives will facilitate accomplishments consistent with program goals.

(c) Program description and activities: Applications for program grants shall provide examples of actual program activities, describing how police officers will be utilized and/or how equipment will enhance program activities.

(d) Program evaluation: Applications for program grants shall describe implementation of a system to collect information necessary to evaluate success in achieving program objectives.

(e) Applications for program grants shall also include any other information deemed necessary by the Division of Criminal Justice to effectively evaluate an application for funds.

13:79-2.6 Confidentiality

An application for a grant under this program and any supporting documentation are not public records for purposes of P.L. 1963, c.73 (N.J.S.A. 47:1A-1 et seq.). These documents are confidential and shall not be released except to law enforcement personnel in connection with their official duties.

SUBCHAPTER 3. PROGRAM GRANTS

13:79-3.1 Project grants

(a) An eligible municipality may apply to the Division of Criminal Justice for a grant from the fund to be used exclusively to pay the initial salaries of police officers and other law enforcement personnel deployed in a law enforcement project which is designed to meet the objectives of the program.

(b) A municipality which receives a grant for a law enforcement project shall be responsible for paying the fringe benefits of all police officers or other law enforcement personnel hired, which shall be deemed the local cash match. Requests for overtime funds will not be considered.

(c) A municipality shall agree, as a condition of a grant awarded pursuant to this Act, not to reduce its regular complement of police officers and other law enforcement personnel during any grant period.

(d) No municipality shall receive a grant exceeding \$200,000 in any program year for an approved law enforcement project. If any funds remain after all approved projects and law enforcement equipment grants have been funded in any program year, funding in excess of the limitation may be awarded to selected grantees pursuant to the program selection criteria contained in N.J.A.C. 13:79-3.6.

13:79-3.2 Initial project grants

Initial grants for law enforcement projects shall be awarded only during the first two program years following the effective date of the Act.

13:79-3.3 Project continuation grants

(a) A municipality which receives an initial grant for a law enforcement project may request from the Division of Criminal Justice continuation funding in subsequent years to continue that project, subject to availability of funds. Such request shall include information which demonstrates that the project is effectively meeting the objectives of the program to justify continued funding.

(b) Approval of a continuation grant for a law enforcement project is contingent upon certification by the Attorney General that the project is effectively meeting the objectives of the program.

(c) A municipality that is eligible to receive an initial grant under the Act is eligible to receive continuation funding. An application for such funding shall be in a form prescribed by the Division of Criminal Justice.

13:79-3.4 Equipment grants

(a) Any municipality which has a police department or force may apply to the Division of Criminal Justice for a grant from the fund to be used exclusively to purchase law enforcement equipment.

(b) A municipality which receives a grant for the purchase of law enforcement equipment shall contribute a cash match of no less than 25 percent of the grant amount.

(c) No municipality shall receive a grant exceeding \$50,000 in any program year for the purchase of law enforcement equipment. If any funds remain after all approved projects and law enforcement equipment grants have been funded in any program year, funding in excess of the limitation may be awarded to selected grantees pursuant to the program selection criteria contained in N.J.A.C. 13:79-3.6.

13:79-3.5 Initial equipment grants

Initial grants for the purchase of law enforcement equipment shall be awarded throughout the program, subject to availability of funds. Continuation funding is not available for the purchase of law enforcement equipment.

13:79-3.6 Selection criteria

(a) The Director shall evaluate and rank program grant applications on the basis of the municipality's realistic opportunity to achieve the specified objectives of the program.

(b) The Director shall give additional weight to applications which:

1. Propose cooperative policing agreements between two or more municipalities pursuant to P.L. 1973, c.208 (N.J.S.A. 40:8A-1 et seq.) or P.L. 1952, c.72 (N.J.S.A. 40:48B-1 et seq.);
2. Provide evidence of a project planning process which has involved residents of the proposed project areas and institutions and groups active in these areas;
3. Provide for the re-employment of police officers who have been laid off by the municipality for budgetary reasons prior to March 1, 1993;
4. Clearly delineate project outcome goals that are both time-lined and measurable;
5. Maximize the use of funding and resources other than those provided by the program;
6. Provide for the mobilization of residents as volunteer participants;
7. Where practicable, provide for the employment of related law enforcement personnel to perform paperwork and related support services in order to free up police officers for community policing duties; and
8. Provide for maximum program accountability.

13:79-3.7 Grant selection process

(a) The selection process for initial grants is as follows:

1. The Director, on or before September 1 and March 1 of each year, shall be provided with initial grant applications.
2. The Attorney General and the Commissioner shall announce the selection of initial grant recipients on or before October 30 and April 30 of each year.

(b) The selection process for project continuation grants is as follows:

1. The Director, on or before September 1 and March 1 of each year, shall forward to the Attorney General recommendations for the award of project continuation grants.
2. The Attorney General shall review requests for project continuation funding, the recommendations of the Director, and shall select as project continuation grant recipients those municipalities whose projects are effectively meeting the objectives of the program.

13:79-3.8 Reconsideration

Within 10 days after receipt of notification of grant denial, a municipality may submit additional grant application information to the Division of Criminal Justice and may request reconsideration of the grant application.

SUBCHAPTER 4. GRANTEE ACCOUNTABILITY**13:79-4.1 Certification**

(a) A municipality selected as a grant recipient under this program shall certify that all grant funds shall be used exclusively for the purposes specified in the grant award.

(b) A municipality selected as a law enforcement personnel grant recipient shall certify that it shall not reduce its regular complement of police officers and other law enforcement personnel during any grant period.

13:79-4.2 Agreement prerequisites

(a) Prior to entering into an agreement with the Division of Criminal Justice to receive grant funds, a municipality selected as a grant recipient under this program shall provide:

1. An application authorization form signed by the mayor or other chief administrative or executive officer of the municipality and a resolution by the municipal governing body authorizing the municipality to enter into an agreement with the Division of Criminal Justice for the funds;
2. For law enforcement personnel grant recipients, authorization by the governing body for the provision of fringe benefit expenses; and
3. For law enforcement equipment grant recipients, authorization by the governing body for the 25 percent cash match.

13:79-4.3 Reporting

(a) A municipality selected as a grant recipient under this program will be required to meet the Division of Criminal Justice programmatic and fiscal reporting standards, including:

1. Submission of quarterly narrative and statistical reports to the Division of Criminal Justice describing program activities and progress for the award period;
2. Submission of monthly fiscal reports to the Division of Criminal Justice;
3. Maintenance of a bookkeeping system, records, and separate grant files to account for all grant monies spent and all matching funds contributed to the program; and
4. Maintenance of a separate account for all grant monies and all matching funds contributed to the program.

SUBCHAPTER 5. ASSISTANCE FOR GRANTEEES

13:79-5.1 Technical and operational assistance

(a) The Division of Criminal Justice shall provide technical and operational assistance to grantees, which shall include:

1. Assistance in implementing an effective community policing program, including training and development of operational plans, schedules, and strategies; and
2. Coordination of and assistance with violent offender removal programs (VORP).

