

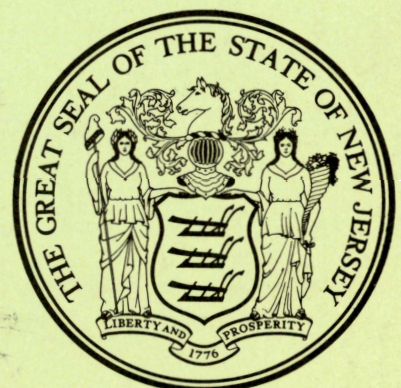
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APPLICANTS GUIDE

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DEFINITIONS

Act — Omnibus Crime Control and Safe Streets Act of 1968 (P.L. 90-351, 82 Stat. 197) as amended by Omnibus Crime Control Act of 1970 (P.L. 91-644, 84 Stat. 1880)

Action Grant — A specific project approach, utilizing block grant funds, aimed at controlling or reducing criminal behavior or improving and upgrading the criminal justice system and its personnel.

Agency — The State Law Enforcement Planning Agency (SLEPA)

Calendar Year — Refers to the standard calendar year, January 1 to December 31.

Cash Match — Monies that can be identified as appropriated specifically for project purposes.

Consultant — A person, group or firm which provides professional advice or services for remuneration.

Discretionary Grant — A project funded with monies controlled exclusively by LEAA and used to advance national priorities, draw attention to programs not emphasized in State Plans, and provide special impetus for reform and experimentation within the system of criminal justice.

Fiscal Year — Refers to the federal fiscal year, July 1 of one year to June 30 of the next.

Governing Board — A body appointed by the Governor which has responsibility for reviewing, approving and maintaining general oversight of the State Plan and its implementation of action priorities, of subgrants or allocations to localities, and of other planning agency functions.

Hard Cash Match — Earmarked monies appropriated for the express purpose of matching federal funds. At least 40% of the required non-federal (matching) share of action projects must be provided as hard cash.

H.E.W. — The United States Department of Health, Education and Welfare.

Inkind Match — Non-cash contributions provided as a portion of subgrantee's share of total project costs. Inkind contributions may consist of charges for real property and equipment, and value of goods and servicing directly benefiting and specifically identifiable to the grant program.

Juvenile Delinquency Act — The Juvenile Delinquency Prevention and Control Act of 1968 (Public Law 90-445)

Law Enforcement — It is used to describe the entire criminal justice system (police, courts, corrections, etc.). The phrases "criminal justice" and criminal justice system" are synonymous with "law enforcement".

Law Enforcement Assistance Administration (LEAA)

— The division of the Justice Department that administers the provisions of the Omnibus Crime Control Act of 1968 as amended.

LEEP — The Law Enforcement Education Program is administered by LEAA. The purpose of LEEP is to upgrade the performance of those engaged in the administration of criminal justice by encouraging attendance at colleges offering courses generally related to their vocational development. Eligible institutions are awarded funds with which to provide grants and loans to both in-service and pre-service students

Local Units of Government — Consists of the 21 counties, the 567 municipalities, and combinations of one or more of the preceding.

Negative Environmental Impact Statement — Declaration required of all applicants in an effort to measure the environment impact of potential subgrants as required under the National Environmental Policy Act of 1969.

Part B Funds — Applies to planning funds available to local planning units, and those monies used for the operation of the State Planning Agency.

Part C Funds — Action funds available for implementing projects throughout the criminal justice system.

Part E Funds — Action funds for use in corrections projects only.

Planning Grant — A specific project approach, utilizing Part B grant funds, designed to develop within eligible units of government a comprehensive criminal justice planning capability, promoting realistic and effective improvements in existing law enforcement and crime control systems.

Program Year — Refers to the approved period for operation of a project.

Public Agency — A duly elected political body or subdivision thereof. It includes any agency emanating from such political body or subdivision.

State Agency — A public agency having as its jurisdiction the entire State.

State Buy-In — Federal provision requiring the State to provide no less than one-fourth of the required non-federal funding of any Part C action program or project.

Subgrantee — Any local unit of government or State office or agency awarded funds by a State Planning Agency for planning programs under Part B of the Act or action programs under Part C or Part E of the Act.

INTRODUCTION

This publication contains procedures for applying for a grant, the action programs which comprise Section C of the 1973 *Plan for Criminal Justice*, SLEPA forms in use and an appendix which contains valuable references for the administration of funds under the Omnibus Crime Control Act.

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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 interview and final audits.

GENERAL INFORMATION FOR APPLICANTS

I. TYPES OF GRANTS:

A. Grants administered directly by SLEPA

Planning: No more than 90% of the total project will be paid for by federal funds.

Action: The following types of action projects will be funded to State agencies and local units of government as listed below. Additional eligibility requirements will be found in the *New Jersey Plan for Criminal Justice*.

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.

2. CRITERIA:

Planning: The intent of awarding planning grants in New Jersey is to develop within local units of government a comprehensive planning ability 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.

3. 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 density, crime rate, law enforcement activity intensity, presence of organized crime, proven planning ability, and crime centers within a region.

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 qualifications:

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 applicant, 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.

4. APPLICATION PREPARATION:

It is recommended that prior to the submission of an application, the appropriate desk within the Operations Unit be contacted.

The required application format is presented in Attachment One of the application (SLEPA 101). Components of the project narrative are Statement of Problem, Goals and Objectives, Project Activities, Project Management, Personnel, Brief Personnel Biographies or Job Specifications, Participating Agencies, Project Evaluation, Alternative Methods, and Assumption of Costs. While some components will require more elaboration than others, none should be omitted. In an effort to aid in the development of applications by prospective subgrantees, the following outline of the more detailed components of the application form is offered for handy reference.

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?

Goals and Objectives

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:

1. 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:

- a. Crime specific — the reduction of property crime, and
- b. System improvement — the provision of alternative diagnostic, treatment, and rehabilitation services for the first time juvenile offenders.
2. An **objective** is a **specific** statement of a **measurable** end condition to be achieved within a **stated** period of time. Examples:
 - a. 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%.
 - b. 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.

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.

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.

5. 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). A resolution of the local governing body approving the applicant's participation with the State of New Jersey in the SLEPA programs must accompany the application.

b. 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.

c. 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.

d. 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.

e. 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.

f. 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.

6. APPLICATION REVIEW AND AWARD:

a. The Governing Board or a designated Committee of the Board will review each action grant application which has been recommended for funding.

b. 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.

c. 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 and fiscal statements per instruction on Form 107.

7. 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 Governing Board decision, reverse that decision.

8. 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.

9. REPORTING PROCEDURES:

a. **Quarterly Narrative Reports:** Subgrantees are required to submit quarterly narrative reports for the duration of the project period to SLEPA, describing the project activities and progress which has been made during each quarter of the subgrant period.

b. **Final Narrative Reports:** Upon termination or completion of a subgrant, a final narrative report, 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.

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 refunding 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.

10. NATURE OF CONTRIBUTIONS:

a. Because the SLEPA staff is available for technical assistance and through them others with additional expertise, subgrantees must show that persons whose salary is used as a local contribution (matching share) are providing a service mandatory for the successful completion of the project. Supervision of or work on the project by a person whose salary is significantly greater than that needed to hire a qualified person will be discouraged. If this person does supervise or work on the project, the credit to the matching share will be limited to what a sufficiently qualified person spending the same amount of time could be hired for, either as an employee or a consultant.

b. Volunteer services may be furnished by professional and technical personnel, consultants, and other skilled and unskilled labor. Each hour of volunteered service may be counted as matching share if the service is an integral and necessary part of an approved program. 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 should be used consistent with those paid for similar work in the labor market in which the grantee competes for the kind of services involved. Refer to Attachment F, Circular A-102 in Appendix for a complete discussion of this topic.

c. It is anticipated that local units of government

may have numerous services available which can be utilized as local matching contribution. As long as these services are necessary to the project and conform to LEAA Guidelines, they are acceptable.

d. In all cases local contributions to the project must be itemized, verified and treated in the same manner as bills and invoices presented for payment from funds awarded.

11. 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 grantee 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.

12. SUBGRANTEE FISCAL RESPONSIBILITY:

The subgrantee shall be responsible to federal and State regulations for maintaining a bookkeeping system, records and files to properly account for all grant monies spent and local/State services contributed cash.

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 that meet the requirement of the State of New Jersey to the federal government as specified in the Act.
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 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 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 Circular A-102 in Appendix for a complete discussion of this topic.
7. Income From Other Sources. All income from other sources, such as contributions, donations or funds from other grant programs, must be accounted for and reported to the Agency.
8. 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 goods or services provided and utilized within the grant period.

9. 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 Office of Management and Budget Circular A-87 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 supporting records for equipment bought, rented and contributed.
8. Provisions for payment by check.

13. CONSULTANTS

The use of consultants (under Purchase of Services heading) by subgrantees will be governed by the following conditions in addition to LEAA regulations and Office of Management and Budget Circular A-87.

a. The use of a consultant must be included in the subgrant application. The proposed contract between the consultant and the subgrantee, or potential subgrantee, must be reviewed by SLEPA prior to its signing.

b. Each consultancy requested in a subgrant application will be reviewed on the following points:

1. Has the work requested of the consultant been outlined in sufficient detail to insure satisfactory performance?
2. Has the method and frequency of evaluation by the subgrantee been specified?
3. Is the work requested of the consultant within his capability?
4. Have the final products or output of the consultant been specified clearly enough?
5. Is the proposed contract between the subgrantee and the consultant acceptable and fair, in addition to the above items? (The contract will be included as a portion of the subgrant application if not already approved by SLEPA.)
6. Does the subgrantee demonstrate adequate capability to utilize a consultant?

c. Most reliable consultants do not charge for the costs of estimating the project, proposal preparation and other similar pre-agreement costs; however, consultants performing work prior to the award of the subgrant who do charge may be reimbursed with federal funds or be considered as a matching cost only if the following conditions are satisfied.

1. Pre-agreement costs generally, and consultants working prior to the subgrant award specifically, must be defined and budgeted separately in the subgrant application. (Refer to Attachment B, Section C of Circular A-87.)
2. Payment of the consultant from federal funds or as a matching share is contingent upon the award of the subgrant.

d. The method of payment of the consultant will be specified in the contract. It is strongly recommended that funds not be advanced prior to the commencement of the work and that between 20% and 35% of the total fee paid be withheld until 30 days after the receipt of the final product from the consultant.

e. Because there may be many consultants competing for work involved in subgrants, SLEPA will need a means of evaluating them in its application process. Subgrantees will prepare as a separate portion of their final report or at the completion of a consultant's contract an objective evaluation of the consultant and his work.

14. 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

b. Metropolitan Clearinghouses:

1. Tri-State Regional Planning Commission — Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union Counties.
2. Delaware Valley Regional Planning Commission (DVRPC) — Burlington, Camden, Gloucester, and Mercer Counties.
3. Wilmington Metropolitan Area Planning Coordinating Council (WILMAPCO) — Salem County
4. Atlantic County Planning Board — Atlantic County
5. Cumberland County Planning Board — Cumberland County

c. Non-Metropolitan Clearinghouses

1. Cape May County Planning Board — Cape May County
2. Hunterdon County Planning Board — Hunterdon County
3. Ocean County Planning Board — Ocean County
4. Sussex County Planning Board — Sussex County
5. Warren County Planning Board — 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.

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).

15. NEGATIVE ENVIRONMENTAL IMPACT STATEMENTS

In compliance with the National Environmental Policy Act of 1969 and guidelines issued by the Council on Environmental Quality, each applicant will be required to submit as part of the original application, a Negative Environmental Impact Statement. This negative declaration will be reviewed by the State Law Enforcement Planning Agency staff to ensure that the applicant has performed a valid assessment of the project's possible environmental consequences. Negative declarations submitted for projects involving 1) the construction, renovation or modification of facilities, 2) the use of herbicides or pesticides, 3) other actions deemed to have environmental consequences, will be forwarded to the LEAA Regional Office for review. The Regional Office will determine whether or not a more detailed environmental analysis should be performed. If an environmental analysis is required, the applicant will be notified by the State Law Enforcement Planning Agency of procedures to be followed.

16. HARD MATCH AND STATE BUY-IN

The 1970 amendments to the Act include two new important fiscal conditions which become effective with FY 1973 funds.

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

"At least 40 percentum of the non-Federal funding of the cost of any Part C program or project . . . shall be of money appropriated in the aggregate, by the State or individual unit of government, for the purpose of the shared funding of such programs or projects."

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 and may include private or Model Cities fund sources. 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 is \$100,000, the following breakdown would be made:

\$ 75,000 LEAA funds	(75%)
10,000 Hard Cash	(10%) minimum
15,000 In-kind	(15%) maximum
\$100,000	100%

Note that the portion of federal funds (75% of total project cost) is not changed, but the matching requirement of 25% is altered to require that at least 10% of the total project cost (i.e., 40% of the non-federal funding) is provided in the form of "hard cash".

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-fourth 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 will benefit from the "buy-in" provision,

since the State funds can be used to meet part of the hard cash match requirement. Using the same example as above, a project to a local unit of government would be as follows:

\$ 75,000 LEAA funds	75%
6,250 State Buy-In	6¼%
3,750 Local Cash	3¾% minimum
15,000 In-kind	15% maximum
\$100,000	100%

Note that the hard cash requirement of 10% of the total project cost is met in part through the State buy-in (6¼% of the total project cost or 25% of the matching share), leaving only 3¾% to be provided through local cash appropriation.

A word of caution must be noted to applicants that the buy-in provision and hard cash match are based upon the minimum matching ratio, 25% of the total project cost in a non-construction program. All calculations should be based upon this assumption and can not be applied on matching funds in excess of the minimum requirement.

THE ANNUAL ACTION PROGRAM

PROGRAM DESCRIPTIONS

The organization of the annual action programs has been revised from five goal areas to nine categories in order to coincide with the functional categories of the Law Enforcement Assistance Administration. While it varies from that which New Jersey has used in the past, it is consistent with the preceding sections of the Plan. Appearing below is a cross reference of 1973 programs with the 1972 programs.

"Prior Funding" in the budget section of each of the following programs relates to specific funding for that particular program. The computation of prior funding includes monies awarded from 1969 through December 20, 1972.

It should also be noted that amounts budgeted reflect estimated costs to start projects through the end of Calendar 1973 and do not infer that all of the objectives can be accomplished with this allocation. In addition, some programs will utilize remaining 1972 funds which may be expended until April 17, 1974.

CROSS REFERENCE OF 1973 PROGRAMS WITH 1972 PLAN

1973 Program No.	1973 Program Title	1972 Program No.	1973 Program No.	1973 Program Title	1972 Program No.
1-1	Retraining of C.J. Personnel in the New Penal Code	*	5-3	Prevention of Crime Through "Hardening of Crime Targets and Public Education"	2.1.3
2-1	Expansion of the Police Administration Services Bureau	*	5-4	Specialized Equipment For Local Police and County Law Enforcement Agencies to Improve the Detection, Apprehension and Conviction of Criminals	2.1.4
3-1	Statewide Communications and Information System	2.2.1			
3-2	Expansion of Correctional Information System	*			
4-1	Residential Shelters for Juveniles Without Suitable Domicile	1.1.3	5-5	Establishment and Expansion of Police-Community Relations Programs	2.2.5
4-2	Community Involvement in Local Juvenile Delinquency Prevention Programs	1.1.2	5-6	Uniform Internal Municipal Police Records	2.2.7
4-3	Treatment and Rehabilitation of Drug Dependent Individuals	3.1.1	5-7	Educational and Professional Development for Criminal Justice Personnel	2.2.4
5-1	Increase Police Patrol Effectiveness Through More Efficient Allocation of Police Resources	2.1.1	5-8	Coordinated State and County-Wide Police Legal Advisory Units	*
5-2	Increase Apprehension and Deterrence Effectiveness Through Reduction of Police Response Time	2.1.2	5-9	Establishment and Expansion of State and Local Narcotic and Dangerous Drug Law Enforcement Units	2.1.5

1973 Program No.	1973 Program Title	1972 Program No.	1973 Program No.	1973 Program Title	1972 Program No.
5-10	Recruitment, Selection and Training of Criminal Justice Personnel	2.2.3	7-9	Increase Public Defender's Staff	2.2.11
5-11	Expanded Investigation of Organized Crime	*	7-10	Development of a Statewide System For Pre-Trial Release	2.2.8
5-12	Increased Crime Laboratory Service	2.2.2	8-1	Improvement of County Jail Practices and Programs	3.2.4
6-1	Improvement of Police Services to Juveniles	1.1.1	8-2	Improvement of Juvenile Detention and Correctional Practices and Programs	1.2.2
6-2	Youth Service Bureaus	*	8-3	Improvement of Direct Treatment Services In State Correctional Institutions	3.2.8
6-3	Diversion of Alcoholic Offenders	3.2.2	8-4	Expansion of Correctional Training Center	2.2.12
7-1	Municipal Court Management and Improvement Program	2.2.10	8-5	Vocational Preparation for Confined Offenders	3.2.7
7-2	Expand and Improve the Diagnostic Services Available to the Juvenile Court	1.2.1	8-6	Improvement of Academic Education In State Correctional Institutions	3.2.9
7-3	Improvement of Probation Practices	3.2.6	8-7	Treatment of Drug Dependent Inmates	*
7-4	Judicial Management Information System (JMIS)	2.2.6	9-1	Community Treatment Facilities For Juveniles	*
7-5	State and County Prosecution of Organized Crime	4.1.2	9-2	Community Correctional Alternatives	3.2.5
7-6	Specialized Training of Court Professionals and Supporting Judiciary Personnel	*	9-3	Expansion of Community Based Correctional Alternatives	3.2.1
7-7	Trial Court Activities Improvement	*	9-4	Improvement of Parole Practices	3.2.6
7-8	Centralized Handling of All Criminal Appeals for the State	2.2.9	9-5	Expansion of Correctional Advisory and Consultative Services	3.2.3

*No corresponding program in 1972. See prior funding section of program to determine if this is a new program or one which may have been included in a Plan prior to 1972.

1. LEGISLATION

Program 1-1: Retraining of Criminal Justice Personnel in the New Penal Code

OBJECTIVE

To develop a schematic for teaching the new penal code to approximately 19,000 law enforcement officers, to determine a reliable cost for this endeavor, to plan for and develop the strategies for a statewide inservice training program for all county and municipal police and to uncover valid cost factors.

Many statutes now on the books in New Jersey have lost their effectiveness and applicability to our present society. Change has long been overdue in redefining and updating what constitutes a criminal act.

The Criminal Law Revision Commission has proposed a new penal code to the State's Legislature. All indications were that the new penal code would be passed by the present session of the Legislature, thus creating a need for the retraining of criminal justice personnel in this new penal code.

Built into the proposed revision of the penal code is a one-year grace period before the code will take effect. In order to retrain the criminal justice system personnel, a training strategy must be prepared.

Implementation

The Police Training Commission will employ

research assistants and educational consultants to work approximately two months on developing a schematic for teaching the new penal code to approximately 19,000 law enforcement officers and to develop a reliable cost for this endeavor. The staff will then work approximately ten months to develop the strategies for a statewide in-service training program. The Police Training Commission Chief Training Advisor will have overall responsibility for the study and will supervise project personnel and activities and share the findings with other segments of the criminal justice system. It is anticipated that the project's goals will be reached within 12 months and that a minimum of \$40,500 will be needed for the program.

Subgrant Data

The Police Training Commission will be the only eligible applicant.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$40,500	\$13,500
(2) Part E Block Support	-0-	
(3) Program Total	\$40,500	\$13,500
(4) Prior Funding	-0-	

2. PLANNING AND EVALUATION

Program 2-1: Expansion of the Police Administrative Services Bureau

Objective

To increase the capability of the Police Administrative Services Bureau in assisting local police administrators in evaluating the management needs and priorities of their departments.

Implementation

Through the New Jersey Police Training Commission of the Department of Law and Public Safety, a management consultant service is available

to assist local police departments in establishing priorities for administrative review. Upon application of an individual department, the P.A.S.B. will study and identify the problem areas, and will attempt to offer feasible suggestions for improvement.

Some of the services provided by the P.A.S.B. include the following: management counseling, general surveys, operational surveys; administrative and service functions and assistance in the preparation of law and administrative manuals.

At the present time, there is an extremely heavy demand for these services from some 40 police agencies throughout the State. The request for these services represents a backlog of close to two years of work, and this backlog is constantly increasing.

Subgrant Data

The Police Training Commission, Department of Law and Public Safety will be the only eligible applicant. It is anticipated that the funds being made available will enable the hiring of two additional staff members which would help reduce this backlog of

work over an 18 month period. The Police Administrative Services Bureau envisions hiring two Assistant Chief Administrative Analysts to accomplish this task.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$50,000	\$16,667
(2) Part E Block Support	-0-	
(3) Program Total	\$50,000	\$16,667
(4) Prior Funding	-0-	

3. RESEARCH AND INFORMATION SYSTEMS

Program 3-1: Statewide Communications and Information System

Objective

The objective of this program is to provide a modern information storage, retrieval, and dissemination system which is vitally needed by all law enforcement agencies in the State.

This completely developed and implemented computerized system will, through a central computer bank, enable the State to meet the following law enforcement objectives: (1) Communications capacity will be greatly increased via establishment of a computer-based message switching and "real time" inquiry system which will replace the presently overburdened and inadequate State teletype system; (2) Intelligence, which is required for crime control, will be greatly expanded by the central collection and analysis of information on known criminal elements; and (3) Criminal identification and records keeping, a process now widely scattered through the slow moving and often incomplete record sections of local law enforcement agencies, will be brought under one memory bank. This system will expedite the process of criminal identification by providing investigative aids to police investigators, and pertinent criminal identification and history data to law enforcement agencies.

Implementation

Development of the Communications and Information System will be phased and will proceed in accordance with the following rationale:

1) "States should assume responsibility for assuring that area-wide records and communications needs are provided." *The Challenge of Crime in a Free Society*, The President's Commission on Law Enforcement and Administration of Justice, pp. 119-20.

2) The Division of Systems and Communication will be the agency responsible for coordination and management of the system.

3) The communications system will be developed using existing state-of-the-art techniques in order to eliminate delays and to insure immediate usefulness.

4) The system will be capable of interfacing with other related information systems such as NCIC, NYSIIS, NESPAC, LETS, Project SEARCH, project DATUM and other existing or proposed systems.

5) The information storage and dissemination system will provide ready and inexpensive service to all the appropriate State, county and local agencies in the State.

6) The system will facilitate rapid communications between law enforcement agencies at all levels of government in order to coordinate crime control efforts and make maximum use of all available facilities and services.

7) The system will be designed for implementation in a modular fashion to permit expansion and inclusion of new developments while providing immediately useful results.

8) The system will be operated from a designated computer located in the headquarters of the Division

of Motor Vehicles in Trenton, in order to insure the security and privacy required of such an intrastate system, and to enhance New Jersey's acceptance into interstate and proposed nationwide systems, (i.e., Project SEARCH — "System for Electronic Analysis and Retrieval of Criminal Histories.")

Regional access links into the system will be readily available to county and municipal agencies. These regional access links will connect with the Statewide center located in Trenton, which in turn will have access to the Statewide data bank, the national data bank (NCIC) in Washington, D.C. and the data banks of information centers in other states (e.g., NYSIIS) and interstate regions (e.g., NESPAC).

The phased implementation of the system will involve initial regional access links. These regional access links will serve both the densely populated, high crime incident areas of the northeastern counties and the balance of the State. In the final operational configuration, the system will provide service to five regional centers located in all sectors of the State, with a response time of less than one minute on all inquiries. These regional centers are scheduled to be located in the following locations: Hackensack, Trenton, Mantua, Laureton and Edison. In addition, at least seven municipal terminals will become operational and more will be added as funds allow. The cities of Camden, Elizabeth, Jersey City, Newark, Paterson, Trenton and Atlantic City will acquire terminals or tie-in existing computers.

The phased implementation of the system will begin with the structuring and development of the communications component. This communications component is a message-switching and inquiry-

handling computer complex connected via a telecommunications network to remotely located terminals and computers. Concurrently, the initial development of the information and identification data base will commence toward implementation and design of related functional operational areas.

Subsequent phases will include the continuing of the structuring and development of other related criminal justice applications, and the expansion of the individual data base, i.e., criminal histories, identification, and flow of offenders through the criminal justice system. It will also include the orderly and efficient expansion of terminals and access links throughout the State for all levels and functional areas of the criminal justice system. A continuing evaluation to determine the need for compatibility of specifications for multiple-communications hardware, and to ascertain the feasibility of the use of microwave computers is being conducted.

Subgrant Data

These funds will be awarded to the New Jersey Department of Law and Public Safety, Division of Systems and Communications, to fulfill the objectives of the program in the most efficient and economical manner.

Budget	State, Local or Other	
	LEAA	
(1) Part C Block Support	\$ 760,000	\$253,334
(2) Part E Block Support	-0-	
(3) Program Total	\$ 760,000	\$253,334
(4) Prior Funding	\$1,560,000	\$864,631

Program 3-2: Expansion of Correctional Information System

Objective

To remove as many correctional program 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.

Implementation

During the period of initial funding, a New Jersey correctional information system was designed to satisfy the widest possible range of the most basic user requirements. This system will provide more detail and an increasing interrelationship for the following kinds of quantitative information in each

basic sub-group of offenders served by State correctional institutions:

- Kinds and volume of movement in and out of and between each unit together with short and long term trends in such movement.
- Distribution of specific kinds of characteristics descriptive of offender histories (correctional, offense, personal, work, educational, and treatment).
- Length of involvement for each kind of movement between institutional discharge and non-institutional treatment.
- Indices of operation within each correctional program area within each operational unit (inmate morale, discipline, work release, furloughs, personnel, education, etc.).

- Distribution of offender experience of selected correctional programs (education, direct treatment, work, housing, case management) together with the extent of involvement of each offender subgroup in these programs.

- Special organization of the above kinds of information to satisfy budget justification requirements.

The basic offender subgroups for which the above information will be developed are distinguished in terms of institutional admission, residence, and departure; and also in terms of age, race, area of New Jersey residence, success vs. failure in the community, length of stay, vocational potential, educational achievement, heroin use, and first vs. institutional readmission.

The system will be designed to allow for selective retrieval of the above kinds of information for other than the basic subgroups distinguished above.

Subgrant Data

The Division of Correction and Parole, Department of Institutions and Agencies will be the only eligible applicant.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	-0-	
(2) Part E Block Support	\$150,000	\$50,000
(3) Program Total	\$150,000	\$50,000
(4) Prior Funding	\$ 75,000	\$25,000

4. PREVENTION

Program 4-1: Residential Shelters for Juveniles Without Suitable Domicile

Objective

To provide home-like placements for juveniles who cannot be situated in normal foster home settings and who should not be placed in correctional facilities. To provide protective short-term residential settings for juveniles requiring shelter pending long-term domiciliary placement. To coordinate and expedite the placement of juveniles in long-term domiciliary institutions through the establishment of a Statewide planning task force and residential placement registry.

There is a need in New Jersey to provide additional care for youngsters who are not hardened delinquents, but who cannot remain in the custody of their parents. The most appropriate placement for this type of youth is a small community based group home which provides an environment most like that of a family setting. However, at the present time, only 34 of the more than 11,000 children residentially placed by the State Division of Youth and Family Services are in this type of facility. For every vacancy which occurs in one of five existing group homes now operated by the Division, there are ten applications. It is axiomatic that children who are victims of parental abuse and neglect are likely prospects to develop into delinquents and criminals. Removing a child from an unsuitable home environment and placing him in a correctional facility because of

circumstances completely beyond his control is unfair to the child and not an action likely to benefit the child's development.

Implementation

The purpose of this program is to provide a home with a family atmosphere for children without suitable domicile. It is expected that the major focus of the effort will be to fund group homes accommodating up to 12 children. Under these arrangements, the youngsters will attend schools in the community and will in all respects lead a life that is normal to any child living with its parents. In these instances, SLEPA funds will be used for operating costs and the applicant will provide the facility.

In some instances, a jurisdiction may find it desirable to provide a temporary place of shelter until placement can be secured for children without suitable domicile. Assistance may be requested, providing the applicant demonstrates a commitment of local resources; that the number of children served be small enough to give them individual attention and to generate a family home-like atmosphere; and that there are arrangements with agencies to secure long-term domiciliary placement.

In response to the critical problem of long delays in securing needed and suitable residential placements for youths, this program provides for the

establishment of a Statewide Planning Task Force and Residential Placement Registry by the State Division of Youth and Family Services. At present there is no clear rationale or operative specifications for New Jersey's system of residential placement for juveniles. Each of the many decision makers in the system operates according to what is essentially a subjective approach.

A Planning Task Force and Residential Placement Registry with the State Division of Youth and Family Services would:

1. develop a coordinated residential placement system including foster homes, group homes, specialized group homes for emotionally disturbed youths, half-way houses, residential treatment centers, larger residential institutions and even juvenile correctional institutions.
2. designate facilities as appropriate for children with a specified set of problems.
3. develop procedures to facilitate speedy acceptance of agency referrals and equitable funding.

4. implement an information system which will provide case workers and probation officers with immediate information on appropriate placements and maintain up to date data on space available within these facilities.

Subgrant Data

County and municipal units of government will be eligible applicants for the establishment of residential shelters. Priority will be given to jurisdictions of high population.*

The Division of Youth and Family Service will be the only eligible applicant for the Planning Task Force and Residential Placement Registry.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$90,000	\$30,000
(2) Part E Block Support	-0-	
(3) Program Total	\$90,000	\$30,000
(4) Prior Funding	\$21,796	\$ 7,530

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

Objective

The objective of this program is to establish delinquency prevention projects in the community that involve active participation by interested citizens and community groups able to offer guidance and assistance to youths who are either without the support of intact family units, or are the victims of economic deprivation and social alienation.

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, or the parents on a case-by-case basis, but also by necessity must marshal all of the existing community resources.

The need for viable community programs was underscored by the President's Crime Commission Report. It called 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. Thus, if specific processes within the community are key components in generating delinquent behavior, they must be addressed to community-based programs of prevention and control.

Implementation

This program encourages applications from municipal units of governments, combinations of such units, agencies of local government, and private and public organizations as subgrantees of local government, to develop and implement community-based and community-involved delinquency prevention programs. Projects qualifying under this program must be broadly based, including the support of community leaders, parents, teachers, and clergy, and the participation of interested lay citizens and other community organizations.

Example projects included in this objective are the following:

- Expansion of delinquency prevention programs which promote rehabilitation and remedial education. One possible program model is the provision of remedial education and social rehabilitative services to youths who have demonstrated severe anti-social behavior manifested in constant truancy, extremely disruptive behavior in school, and problems with the police. These programs should have the partial sponsorship or active cooperation of the school system, but also should demonstrate the support and sponsorship of the community.

- Programs organized and sponsored by Youth Guidance Councils. These local groups, set up to aid delinquent youth, could plan and organize a variety of community delinquency prevention projects. The programs might take several different forms depending upon how a local Youth Guidance Council views the needs of its own delinquent youth.

- Community leaders in numerous cities and towns in New Jersey have become aware of serious problems among their youth. These are manifested in the abuse of alcohol and drugs, truancy, police contacts, run aways, etc. Innovative programs can be devised which will identify these troubled youngsters, work with their specific problems and

prevent their entrance into the criminal justice system. Such programs must demonstrate the support of the schools, the police, the courts and the community and describe a specific treatment modality which meets stated goals and objectives.

Subgrant Data

Up to three subgrants ranging to \$100,000 each will be made available for remedial education/rehabilitation type projects.

Up to four grants ranging to \$50,000 each will be made available for communities which have identified serious problems among their youth.

Up to ten subgrants ranging to \$30,000 each will be made available for community sponsored delinquency Youth Guidance Council or other prevention projects.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$ 650,000	\$ 216,667
(2) Part E Block Support	-0-	
(3) Program Total	\$ 650,000	\$ 216,667
(4) Prior Funding	\$2,872,541	\$1,503,776

Program 4-3: Treatment and Rehabilitation of Drug Dependent Individuals

Objective

To assist State and local units of government to reduce drug abuse more effectively, particularly the abuse of opiates, and reduce the high social costs of drug related crimes.

The illicit sale, use and possession of controlled dangerous substances continues to be one of the most severe problems confronting the criminal justice system. In order to address these problems, there is a need to further improve and strengthen the existing relationships between components of the criminal justice system and treatment agencies. Such cooperation seeks to intervene in a pattern of drug use which may lead to involvement with the criminal justice system, or to provide treatment alternatives for drug dependent persons who are already involved with the criminal justice process as a result of drug related crime.

Because of the scope and severity of the problem, State agencies and local communities are develop-

ing programs which focus on two areas of need:

1. Treatment services and remedial educational services to drug users in a day care, or out-patient facility. Such programs attempt to provide early case finding and treatment for those who have become heavier users but may yet require intensive treatment.

2. Residential therapeutic communities, methadone detoxification and maintenance programs (out-patient or in-patient) or combinations of these services whose immediate target is treatment of heroin addicted or heavily drug dependent persons. In addition, these programs should endeavor to provide treatment alternatives to incarceration for drug dependent persons who have come in contact with law enforcement agencies.

Implementation

Projects that are directly concerned with the early case finding, treatment and rehabilitation of narcotic drug abusers will be eligible for funding, provided that

the project (1) agrees to use a SLEPA drug rehabilitation program evaluation system, (2) has filed an "Application for Certificate of Approval for Narcotic and Drug Abuse Control Treatment Center" with the New Jersey Division of Narcotics and Drug Abuse Control, and (3) is recommended for SLEPA funding by the Division of Narcotic and Drug Abuse Control.

Applications utilizing the following approaches will receive priority consideration:

1. Projects that provide methadone maintenance and detoxification services under administrative supervision of the New Jersey Division of Narcotic and Drug Abuse Control.

2. Projects that establish or expand outpatient or residential drug rehabilitation centers in the community, primarily for youthful drug addicts aged 14 to 18, under direct management of a professional staff. Continuation of academic education for program clients, a diagnostic capability, and provision for treatment resources meeting the special needs of adolescents are necessary components of such programs.

3. Projects that provide innovative treatment methods. These may include programs that combine therapeutic community and methadone maintenance modalities, that shorten and modify the traditional long-term residential community model, or that otherwise apply new methods to the problem of rehabilitating drug dependent persons.

4. Projects that establish comprehensive central intake and referral services to existing treatment facilities in large urban communities.

5. Projects that provide treatment programs for inmates or ex-inmates of correctional or detention facilities.

The above project areas represent direct

rehabilitation services to addicted or heavily drug dependent persons concentrated primarily in high population cities or counties of New Jersey.

Treatment programs should be professionally supervised but must include significant participation in program planning and implementation by community representatives, particularly those whom the program is designed to serve.

Rehabilitation projects may be administered directly by agencies of government or by private agencies as subgrantees of units of State or local government. Projects may also be developed and administered by a State agency for local government under the following conditions: (a) The local unit or units benefitting from the service agree by resolution of council or board, and the Chief Executive officer (Mayor, or Freeholder-Director) signs a consent or waiver of local funding; and (b) The State Law Enforcement Planning Agency Governing Board specifically approves.

Subgrant Data

A total of \$2,400,000 will be distributed among programs presently funded by the State Law Enforcement Planning Agency. There will be \$200,000 available for local municipalities to develop new treatment programs which will have an impact on reducing drug related crimes or will lessen the burden on the criminal justice system by providing treatment alternatives.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$2,600,000	\$ 886,667
(2) Part E Block Support	-0-	
(3) Program Total	\$2,600,000	\$ 866,667
(4) Prior Funding	\$5,417,217	\$2,293,759

5. DETECTION, DETERRENCE, APPREHENSION

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

Objective

This program is designed to provide a measurable reduction in street crimes and an increased feeling of safety in the general population by allocating increased police resources to the patrol function through more efficient utilization of the existing police resources.

The problems involved in police patrol allocation include prediction of demand for services; establishment of an allocation criterion (e.g., minimize average response time, minimize costs to provide a specified level of patrol presence in a time and space matrix); pre-positioning of forces (e.g., mix of marked and unmarked cars, supplementary vehicles, reserve support, and foot patrol); and re-

positioning of forces in real time in response to tactical emergencies.

By carefully analyzing the time and place of expected demands, and by reallocating police resources to meet these demands, the streets and other public places will be made safer at all hours of the day and night.

Implementation

Projects in this program area will be operated in two phases. The first phase will include data collection on the time and place of occurrence of street crimes, the present pattern of patrol coverage, and a plan of reallocation of resources to provide optimum patrol coverage in a selected high crime area of a city. This may be accomplished through adaptation of systems utilizing electronic data processing tabulation. It will include statistics on man hours reallocated to field related activities and anticipated clearance rates.

The second phase will include the rescheduling and reassignment of personnel and equipment in accordance with the plan developed in the first phase.

Activities under this program may include innovative methods of patrol, such as beat policing by police officers who establish residence in the area; or team policing, which places all of the police activities in a given area under a unified command; or assignment of civilian personnel to non-enforcement functions to release policemen to the street. New motor patrol techniques may be utilized, such as

individually assigned patrol cars (the Indianapolis Police Car Plan). Certain equipment in support of new patrol allocations may be used; however, such equipment must be justified in terms of the specific reallocation of existing police resources. In 1973, it is anticipated that cities which institute projects under this program will significantly increase their clearance rates of index crimes.

Subgrant Data

Two to six subgrants of between \$50,000 and \$100,000 will go to cities, counties and 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. Between \$50,000 and \$100,000 will be utilized for continuation of projects funded in 1972. 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
(1) Part C Block Support	\$350,000	\$116,667
(2) Part E Block Support	-0-	
(3) Program Total	\$350,000	\$116,667
(4) Prior Funding	\$644,146	\$315,557

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

Objective

1. To provide a means for reduction of the total time it takes 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;

2. To provide a means for citizens to contact the police rapidly; and

3. To provide a means for the police to communicate among each other more efficiently and more rapidly.

This will increase 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 more effective patrolling techniques which give quicker access to a crime scene, and by improved methods of communicating reports of crimes to the police and between the police themselves.

Implementation

This program envisions financial support to county and municipal units of government, or combinations of such units for projects defining, establishing, and evaluating a variety of means for reducing police response time.

Example projects can be, but are not limited to: adoption of the emergency number "911" for outside telephone booths (no coin necessary); improvement of command and control capabilities; rapid individual police communications systems; more accessible street emergency communications facilities (call boxes available for public use); development and implementation of local and interjurisdictional communications systems that are rapid, simple and economical, including the establishment or expansion of central dispatch networks; etc.

In 1973, 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.

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 these exclusions on a case-by-case basis.

Subgrant Data

The funding level for 1973 is \$800,000. It is anticipated that there will be five levels of funding under this program.

Up to six grants ranging to \$100,000 will be available to cities with populations in excess of 100,000. Up to six grants of between \$30,000 and \$75,000 will be available to cities with populations between 50,000 and 100,000. Up to six grants of between \$30,000 and \$50,000 will be available to cities with populations between 25,000 and 50,000. Up to four grants of between \$50,000 and \$100,000 will be available to combinations of units of government for the purpose of implementing or expanding comprehensive regional radio communications networks. Special priority consideration will be given to combinations of units of government who consolidate police services or share facilities. Those communities that experience periodic population influx will also receive consideration under this program area.

Subgrantees will be expected to supply the State Law Enforcement Planning Agency with an evaluation of the project after a reasonable period of time has elapsed, and a total evaluation upon completion of the funding period. Evaluation will include statistics on the number of arrests for criminal offenses for one year prior to the funding of the project, the project year and one year after the project expires as well as other evaluative data and information regarding response time reduction as requested by the State Law Enforcement Planning Agency.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$ 800,000	\$ 266,667
(2) Part E Block Support	-0-	
(3) Program Total	\$ 800,000	\$ 266,667
(4) Prior Funding	\$1,608,697	\$1,087,574

Program 5-3: Prevention of Crime Through "Hardening" of Crime Targets and Public Education

Objective

The objective of this program is to reduce the number of crimes by impeding the opportunity to commit crimes:

1. Through improved protection of the criminal target, be it person or property; and
2. Through public education.

Many crimes are committed because the target of the crime is not properly protected. These crime

targets include vehicles that are left unlocked or with the keys in the ignition, homes which are left improperly locked, buildings that are inadequately protected by proper lighting or security devices, and pedestrians who must negotiate high-risk street areas that are insufficiently lighted and offer concealment for potential assailants.

Hazardous conditions which invite criminal acts can be reduced, thereby lessening opportunities for crimes to be committed.

The problem of law enforcement, however, 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. Public education projects to alert citizens and businessmen on how to avoid becoming victims of crime can be a valuable adjunct to crime control programs, if they command the interest and cooperation of the citizenry.

Public education programs utilizing innovative techniques can, in all probability, substantially reduce the threat of crime to persons and property and should be implemented. Most experts believe that effective programs should be individualized whenever possible, since direct personal contact is superior to mere literature handouts, and that they must be cooperative in the sense that all of the interests of the community are represented.

Implementation

Projects to be funded in this program area will include but not be limited to the following two areas or combinations of these areas:

1. Any appropriate techniques or equipment designed to protect and to make more secure property and/or persons that are the potential targets of crime. The area of coverage for a project may be a public building or group of buildings, such as public schools and public housing projects, or geographic areas where a high incidence of crime has been reported.

2. Any programs that envision the establishment of innovative projects by local units of government undertaken on a cooperative basis by police departments, citizen groups, social groups, professional organizations, businessmen's groups, schools, and other community organizations. In 1973, it is anticipated that approximately 300,000 pieces of literature concerning crime prevention techniques will be disseminated; that approximately 20,000 people will be directly involved in public programs; and that an additional 100,000 contacts will be made by subgrantees through public appearances and speaking engagements. It is possible that the number of persons reached through the media in the second year will approach 500,000. However, the only viable goal of this program can be the measurable reduction in crime compared to previous years. This measurement will be undertaken by subgrantees as part of the research and evaluation component of their projects.

This program will be expanded in future years, with the goal the establishment of crime prevention programs in each municipality in the State with a population over 25,000 and in each of the 21 counties.

Subgrant Data

There will be between five and ten subgrants under IMPLEMENTATION 1. Eligible subgrantees will include all municipal governments but priority consideration will be to cities with a population of 25,000 or more. Where equipment is provided for the benefit of any private person or corporation under this project, the recipient of the equipment shall be responsible for the actual cost of the equipment which will not be included in the project cost. The monetary range for each subgrant will be \$20,000 to \$40,000.

It is anticipated that in 1973 ten cities will benefit directly from this program. Through the use of improved lighting techniques, specialized equipment, mechanical locking devices, etc., the number of crimes in these cities will be reduced by curtailing the opportunity to commit crimes. Public housing projects with their inherent problems of vertical policing, parking lots, and streets and overpasses in certain areas are especially considered to be potential crime areas, and are project possibilities.

Under IMPLEMENTATION 2, there are two levels of funding. The first level will fund applicants whose projects are comprehensive in scope and envision full-time operations. Within this level, two to three applicants will be funded at ranges between \$10,000 and \$20,000.

Priority will be given to the high crime municipalities with populations of 100,000 and over, and first class counties with populations of 600,000 or more. The second level of funding includes applicants from all municipalities and counties whose projects envision short-term programs. Within this level, two to five applicants will be funded at ranges between \$2,000—\$10,000. Previously funded subgrantees will be given funding preference for continuation projects providing that their progress warrants it, and that their application for project continuation meets all requirements.

Special priority consideration will be given to combinations of units of government who consolidate services under a single department.

Subgrantees for both levels of projects must demonstrate a willingness to give the subject high priority, and the capacity both to sponsor and cooperate in research and evaluation. Each subgrantee will also be subject to the general and special conditions attached to approved grant applications.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$337,500	\$112,500
(2) Part E Block Support	-0-	
(3) Program Total	\$337,500	\$112,500
(4) Prior Funding	\$739,641	\$332,620

Program 5-4: Specialized Equipment for Local Police and County Law Enforcement Agencies to Improve the Detection, Apprehension and Conviction of Criminals

Objective

The objective of this program is to provide for the acquisition, development, and evaluation of specialized detection-apprehension equipment by selected local, county, and regional law enforcement agencies.

Use of modern, sophisticated equipment is necessary if law enforcement agencies are to counteract the increasing mobility and sophistication of criminals. It is anticipated that the use of such equipment will not only improve the capabilities of police in detection and apprehension, but will allow for more efficient allocation of police resources, will increase convictions, and will deter potential offenders because of the increased risk of apprehension and conviction.

Implementation

The State Law Enforcement Planning Agency will provide funds, on a limited basis, for the purchase of modern, sophisticated, specialized crime detection and apprehension equipment by local police departments and county law enforcement agencies that can establish maximum potential benefit from such specialized equipment, and that have or can retain and train the personnel and support facilities necessary for its most effective utilization.

It is intended that the equipment be used in the larger cities and counties that are high crime areas. Applicants must show a documented need for such equipment, demonstrate willingness to give the project high priority and indicate the capacity both to sponsor and cooperate in evaluation.

Examples of specialized equipment meeting the program specifications include: night visibility and other types of surveillance equipment, cameras, binoculars, criminal identification equipment, crime

scene equipment and any other equipment that can be justified in terms of apprehension and detection of criminals.

In 1973, it is anticipated that jurisdictions purchasing and utilizing equipment under this program will increase their clearance rates for index crimes over the current State average.

Excluded Equipment

1) Any such equipment generally considered standard police support material, such as weapons, vehicles, ammunition and traffic control devices.

2) Any equipment used especially for riots or civil disorders, as distinct from equipment whose primary purpose is the detection and apprehension of criminals.

3) Communications equipment.

Subgrant Data

The funding level for 1973 is \$250,000. It is anticipated that there will be between 10 and 15 grants in the range of \$2,000 to \$50,000. It is also anticipated that not more than one grant will be given to any one jurisdiction. Subgrantees eligible include any local or county police departments or prosecutors' offices, but priority consideration will be given to police departments and prosecutors' offices in the urban high crime areas.

Communities composing project "DATUM" and those desirous of entering will have first priority under this program.

Special priority consideration will be given to combinations of government who consolidate services under a single department or utilize a shared equipment concept.

Subgrantees will be expected to supply the State Law Enforcement Planning Agency with an evaluation design prior to funding, and with a

completed evaluation at the end of the funding period. Evaluation should include statistics on arrests for criminal offenses, relevant to the type of equipment being utilized for one year to the acquisition of the specialized equipment and for the year in which the equipment is used. Subgrantees will be expected to furnish other evaluative data and information relative to the project as requested by the State Law Enforcement Planning Agency.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$250,000	\$ 83,334
(2) Part E Block Support	-0-	
(3) Program Total	\$250,000	\$ 83,334
(4) Prior Funding	\$703,485	\$451,758

Program 5-5: Establishment and Expansion of Police-Community Relations Programs

Objective

To improve police-community relations by promoting improved understanding by police of citizens' concerns and a better understanding by citizens of the police mission. To provide a mechanism for citizens to formally advise the police about areas of possible police-community conflict.

The goal of community relations projects should be the long term achievement of improved community relations. The aim is to effectively engage the community, in order to develop some long term benefit to the community as a whole. Because it involves an "engagement" of the public in a dialogue about mutual problems, a community relations project must necessarily develop an effective two-way communications process.

Through continuous communications between civil servants and the general community, there will be a broadening of the appreciation of community concerns, and a mutual broadening of the community's perspective of the duties and responsibilities of the civil servants.

Implementation

Projects under this program may be operated by municipal police departments and should contain the following elements:

The stimulation of department-wide concern and interest in addressing community problems.

Evaluation of department policies, procedures and activities in terms of their effect upon community relations.

Development of department-wide policies and programs in community relations.

Development of community relations training programs for personnel in the department.

Operations of meetings involving department personnel and various segments of the community in order to establish and maintain a dialogue about community relations problems.

Consideration of methods of utilizing civilian volunteers and community leaders in on-going department programs aimed at sustaining communications between the department and the community.

Receipt and evaluation of information which relates to the present status of community relations.

Projects may also be operated by private agencies under contract to a unit of government or by an appropriate public agency. Examples of such projects could include:

Series of controlled dialogues between leadership segments of the community and the police under guidance of skilled human relations experts.

Development of a policy committee of citizens and police to provide a continuing avenue of citizen expression pertaining to police policy.

Development and implementation of a grievance procedure to arbitrate conflicts between police and citizens as they arise.

Subgrant Data

Of the total \$300,000 appropriated for this program, approximately \$150,000 will be utilized for continuation of projects funded in 1971/1972. Of the remaining funds, there will be six to eight new subgrants available to serve municipalities of 25,000 population or more at a range of \$20,000 to \$60,000.

Special priority consideration will be given to combinations of units of government who consolidate services under a single department.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$300,000	\$100,000
(2) Part E Block Support	-0-	
(3) Program Total	\$300,000	\$100,000
(4) Prior Funding	\$852,051	\$696,854

Program 5-6: Uniform Internal Municipal Police Records

Objective

To improve police organizational effectiveness and increase apprehension and detection capability by providing municipal police departments with improved standard uniform forms and records keeping systems, including mechanical systems, which will provide rapid, accurate processing and retrieval.

The efficiency of any police organization ultimately rests on the management methods. Police departments in the past have been unable to apply modern records techniques to their operations due to a lack of funds. Forms have been proliferated to the point where there is no standardization. In the area of records keeping, there is great potential for increasing the internal efficiency of the police, and the quickness with which they can search and retrieve information that can improve their capability to detect and apprehend criminals.

Implementation

Projects which envision systems for storage and retrieval of internal police records will be considered for funding under this program.

All applicants will be required to adopt standard

police internal and external reporting forms in order to standardize records on a Statewide basis and in order to make the municipal system compatible with the system developed by the Department of Law and Public Safety's Division of Systems and Communications. In 1973, it is envisioned that cities which implement projects under this program will increase their clearance rate significantly.

Subgrant Data

The funding level for 1973 is \$150,000. It is anticipated that there will be 15 grants of up to \$10,000 to cities over 20,000 population.

Subgrantees will be expected to supply the State Law Enforcement Planning Agency with an evaluation design prior to Board approval. The design should provide for statistics on crimes cleared by arrest, time saved in searching records, number of identifications accomplished with the system, etc.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$150,000	\$50,000
(2) Part E Block Support	-0-	
(3) Program Total	\$150,000	\$50,000
(4) Prior Funding	-0-	

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

Objective

To upgrade the performance of criminal justice personnel through specialized training. To prepare students for criminal justice careers through specially designed higher education courses of study.

This program serves to provide opportunity for criminal justice agencies to focus training efforts on areas of operation that require current knowledge

and highly developed skills. It continues the third stage of development and implementation of college degree courses of study at the four colleges in New Jersey approved for schools of criminal justice.

Implementation

There will be four basic approaches to reach the program objective:

1. The first approach will provide funds for criminal justice agencies or institutions of higher education to develop and implement in-service professional development programs for criminal justice personnel. The subjects of these seminars, workshops or courses could include "street" Spanish, family crisis intervention courses, community relations, State Criminal Codes, constitutional requirements concerning arrests, search and seizure and interrogation; laws of evidence; confessions; trial techniques, motion and pleading practice; recent case law; correctional management; case analysis in prevention programs; correctional counseling; court administration, etc.

Proposals considered must give assurance that existing training efforts, both budgetary and programatic, are not being supplanted by the proposed funded program. Consideration will be given only to programs open on a Statewide or other major regional basis or to agencies with large staff complements.

Exclusions

a. Applications submitted for a person or persons to attend an activity on an individual case basis. Grants under this approach will be to an agency to implement a program for all its members or a significant sized group of personnel or to an institution of higher learning to implement a special activity for a target group of personnel.

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

c. Collegiate "courses", credit or non-credit, that may be fundable under the Law Enforcement Education Program (LEEP), whether funds are available at the institution or not.

2. A second approach will provide grants to agencies to permit attendance at special LEAA operated seminars, institutes or workshops, or programs where LEAA specifically requests State Planning Agencies to make funds available for interest groups to attend an activity.

Travel expenses (excluding commutation), food, lodging, tuition, registration fees, and any related expenses subject to New Jersey State travel regulation restrictions may be requested.

3. The third approach will support the four State colleges which presently have criminal justice baccalaureate degree programs and are currently

receiving State Law Enforcement Planning Agency funds. In addition, Rutgers, the State University will be eligible for funding to aid in the creation of a criminal justice school. These funds are made available to expand 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 Law Enforcement Planning Agency Plan to create centers of excellence to serve the different regions of the State with baccalaureate programs so that pre-service and in-service students may continue their education beyond the two-year degree level available in the State's community colleges.

The creation of graduate level education at Rutgers University will complete the educational sequence which will make available to the criminal justice personnel in New Jersey the opportunity to earn the degrees recommended by the President's Commission on Law Enforcement and Administration of Justice.

4. Funds will be provided to the New Jersey Police Training Commission with the intent of continuing the emphasis on improving the quality of basic and in-service training for law enforcement in the State.

Subgrant Data

Under Approach One, \$75,000 will be available to criminal justice agencies or institutions of higher education in cooperation with an appropriate unit of government to develop training programs.

Under Approach Two, \$50,000 will be made available to criminal justice agencies to supplement their training efforts at special LEAA sponsored programs.

Under Approach Three, approximately \$150,000 will be utilized to expand projects funded in 1971 and implement a School of Criminal Justice at Rutgers, the State University.

Under Approach Four, \$50,000 will be available to the Police Training Commission for continuance of training improvements.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$ 325,000	\$ 108,334
(2) Part E Block Support	-0-	
(3)* Program Total	\$ 325,000	\$ 108,334
(4) Prior Funding	\$1,255,219	\$1,365,497

Program 5-8: Coordinated State and County-Wide Police Legal Advisory Units

Objective

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, in the latest rulings of the court and state of the art.

Implementation

To meet the objectives of this program, four pilot projects will be funded this year: three to county prosecutor's offices in various sized counties for all organized local police departments in the county and one unit for the State Police. Each legal unit will perform the following services on a county-wide or Statewide basis: 1) the screening of search warrants for legal sufficiency and the standardizing of procedures for obtaining same; 2) the reviewing for legal sufficiency, and the standardizing of arrest procedures; 3) the providing 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 disseminating of legal interpretations and the practical implications of statutory and case law changes; 5) the providing of around-the-clock availability of legal personnel for

the purpose of giving informal and immediate legal guidance when the exigencies of a given situation require such advice; and 6) the providing of instructional services with regard to the criminal law, for the various local in-service and Police Training Commission-approved schools.

Subgrant Data

Three grants will be made available to counties on a pilot basis at a cost of approximately \$25,000 per project. One large county, one medium-sized county, and one small county will be funded. The position of police legal advisor will be filled by an assistant prosecutor who will devote full-time to the duties stated above.

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

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$100,000	\$33,334
(2) Part E Block Support	-0-	
(3) Program Total	\$100,000	\$33,334
(4) Prior Funding	-0-	

Program 5-9: Establishment and Expansion of State and Local Narcotic and Dangerous Drug Law Enforcement Units

Objective

To assist state and local law enforcement agencies in expanding their capabilities to detect, deter and apprehend violators of the state narcotic and dangerous drug laws.

The State of New Jersey is the most densely populated state in the country and is known as the "corridor" between two of the largest cities in the country, New York City and Philadelphia. Both cities are known to suffer acute drug problems and to be sources of large quantities of illicit drugs. Recent arrest of high-echelon drug traffickers in New York City and New Jersey and the intelligence data gained,

confirmed suspicions that some of these traffickers are living in and using the metropolitan area of New Jersey as a warehouse and depository for large quantities of illicit drugs and for the transacting of drug sales.

The addition of investigative personnel to the State Police Narcotic Bureau has provided the resources to establish and operate regional enforcement offices in all areas of the State. This development has enabled State Police Narcotic Bureau personnel to establish and maintain close contact with local law enforcement agencies and share a common evaluation of their particular needs and problems. Scheduled meetings with local enforcement

representatives in all areas were conducted. Intelligence information and operational strategies were shared and specific problems discussed. Bureau personnel and other resources were offered and utilized in cooperative drug investigations. This cooperative effort since January of 1971 has led to the arrest of 1,350 defendants through 45 mass raids. Ninety percent of these arrests were made on charges of sales of drugs.

Although significant steps have been implemented and enforcement increased in the areas pertaining to the sale and distribution of illegal narcotics and dangerous drugs, there remains a severe drug problem in the State. It is the purpose of this program to provide support for such detection and apprehension efforts.

Implementation

The first project planned for which funds are being allocated is the continuation of the Statewide Narcotics Enforcement and Training program instituted by the New Jersey State Police in 1971.

Included in the project are:

1. Continuation of the Drug Enforcement School at the State Police Academy, Sea Girt, New Jersey. This training, available to State and local law enforcement agency personnel, will be a one-week course of intensified curriculum relating to investigative and enforcement aspects of the drug problem.

2. To continue the State regional enforcement effort.

3. To continue and expand the Statewide Task Force which is solely dedicated to detection and apprehension of high echelon drug traffickers.

Secondly, projects are encouraged for county level

enforcement efforts. Such projects should be administered by the Prosecutor's office and should actively involve the municipalities within the county. Provisions should be made for training and an adequate methodology should be evidenced for information sharing at all levels.

Finally, projects are encouraged from groups of municipalities to establish or expand drug law enforcement efforts where a need is clearly evidenced.

Subgrant Data

One grant up to \$180,000 will be made available to the Department of Law and Public Safety, Division of State Police, to continue the Statewide Narcotics Project.

Three grants up to \$75,000 will be made available to counties with populations of 200,000 or more to provide for county-wide coordination of drug law enforcement efforts.

Five to seven grants of \$20,000 to \$30,000 will be made to cities with a population of 50,000 or more, and who can clearly demonstrate the need for such an effort. Municipalities are encouraged to plan projects regionalizing services with other communities.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$480,000	\$160,000
(2) Part E Block Support	-0-	
(3) Program Total	\$480,000	\$160,000
(4) Prior Funding	\$106,645	\$ 80,496

Program 5-10: Recruitment, Selection and Training of Criminal Justice Personnel

Objective

The objectives of this program are the design and implementation by the Department of Civil Service, of new selection procedures which will increase the retention of applicants through various phases of the selection system and significantly speed up the selection process. Major emphasis of this objective will be directed towards inclusion of minority group applicants into the recruitment, selection and training process.

Implementation

In order to insure a high flow of applicants seeking law enforcement careers, walk-in recruitment centers will be established in high priority areas of the State. To further increase the attractiveness of law enforcement careers, an advertising campaign will be mounted in conjunction with public speaking appearances at community organization meetings, high schools and colleges utilizing civil services personnel, and minority group representatives from

within the criminal justice system. A new thorough medical examination, which will satisfy civil service and pension system requirements, will be designed and implemented. Improvement of design and quality of the examination will continue to receive high priority by the Department of Civil Service and the State Law Enforcement Planning Agency. In addition to previous test development, greater emphasis will be directed towards developing and testing alternative culture free entrance and promotional examinations. A significant time reduction in the present three month recruitment and selection process, is expected.

Subgrant Data

The Department of Civil Service has the sole

responsibility in 1973 for the implementation of the objectives listed in this program area. It is anticipated that the recruitment and selection process will continue to receive manpower through "Project Transition", the Department of Defense project which offers recruitment, training and early release from the Armed Forces to men accepting criminal justice system positions.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$150,000	\$50,000
(2) Part E Block Support	-0-	
(3) Program Total	\$150,000	\$50,000
(4) Prior Funding	\$122,246	\$68,103

Program 5-11: Expanded Investigation of Organized Crime

Objective

To increase and expand the capabilities of State law enforcement agencies in the detection, deterrence, apprehension and prosecution aspects of organized crime control, and to meld these control efforts into a continuing cohesive enforcement attack on the organized criminal element.

The nature of organized crime operations has made mandatory the development of a Statewide strategy that could marshal State law enforcement resources and bring this comprehensive cooperative power to bear on the organized criminal element. The program in New Jersey to control organized crime has developed from a singular State effort to the inclusion of local efforts in several counties. With the inclusion of the local effort, Statewide controls must be increased to cope with the forced mobility of the organized criminal element to newly established locations or bases of operation caused by the stepped-up local program.

Therefore, to provide further impetus to the organized crime control program within New Jersey, State level agencies must continue to expand their intergovernmental strategy towards combating organized crime.

Implementation

To meet the objectives of the program, the following projects will be funded:

1. The continuation of the Statewide Organized Crime Intelligence project initiated by the Division of

State Police in 1970 and continued in 1971 and 1972. The grant will allow the State Police to continue and expand the present project.

Specifically, the Intelligence Bureau will create a Tactical Unit to facilitate better control and effectiveness of the Electronic Surveillance, Telephone Toll Security, Statewide Intelligence Units and the Interstate Organized Crime Index terminal of the Bureau. Also, increased and analytical study of intelligence reports has increased the need for the establishment of positions of Intelligence Research Analysts.

Funds will be utilized to partially compensate 11 law enforcement personnel of the Bureau and seven other staff (non-sworn) plus additional personnel if needed.

Funds will also be used to purchase office supplies, facilities and equipment necessary to the continuance of the project.

2. The continuation and expansion of the Statewide Organized Crime Investigational/Prosecutorial project, a joint effort of the Division of State Police and the Organized Crime Special Prosecutions Unit of the Division of Criminal Justice.

In the 1971 Fiscal Year, a continued closely integrated effort by attorney and police manpower was maintained and the project has established itself as an extremely effective tool in attacking organized crime. The State Police Organized Crime Task Force Bureau and Intelligence Bureau, and the Criminal Justice Organized Crime Unit collaborated in the investigations and indictment of 291 defendants. The

indictments included charges of bookmaking, lottery, obstructing justice, armed robbery, breaking and entering, grand larceny, bribery, criminal contempt, misconduct in public office, perjury, loansharking, forgery, embezzlement, and obtaining funds under false pretense by a public official.

The investigative, arrest and indictment statistics for Fiscal 1972 have not as yet been finalized. However, the first nine months of the 1972 Fiscal Year already show 265 defendants indicted, and it is anticipated that the third year (Fiscal 1973) and fourth year (Fiscal 1974) will exceed previous years. It should be borne in mind that mere statistics do not in themselves reflect the total picture with regard to the effectiveness of combining investigative expertise with prosecuting attorneys. A more accurate barometer of accomplishment is the fact that many of the defendants indicted are identified members of organized crime.

Current intelligence data indicated that highly significant in-roads have been made in the area of organized gambling on a Statewide basis, and progress has been made in official corruption and hijacking. Because of this development, it is felt that program objectives should be modified toward an increased effort in the areas of loansharking and commercial fraud while maintaining the current level of enforcement pressure on bookmaking, lottery, hijacking, and official corruption. The funds requested for the program cited in this account are vital to such an undertaking. Funds will be used to continue partial compensation of four attorneys, two law clerk trainees, three secretaries and 25 State Police investigative personnel. Funds will also be used for project-related travel, office supplies, operating costs and for the replacement of or purchase of new

equipment necessary to the continuance of the project.

3. The continuance of the Organized Crime Training Project is the third phase. This course of instruction is a vital component of the objective. During this grant period, ten two-week basic courses will be offered to law enforcement personnel; additionally, four one-week seminars will be conducted for advanced training for graduates of the basic course. Approximately 700 law enforcement personnel will participate in this training project.

Funds will be utilized to partially compensate the training coordinators, and consultants, and to partially provide for travel and subsistence, training materials and other administrative costs associated with the project.

Subgrant Data

1. \$252,000 will be awarded to the New Jersey Department of Law and Public Safety, Division of State Police to meet the objectives of Project No. 1.

2. \$355,000 will be awarded to the N.J. Department of Law and Public Safety, Divisions of State Police and Criminal Justice to meet the objectives of Project No. 2.

3. \$45,000 will be awarded to the N.J. Department of Law and Public Safety, Division of State Police, to meet the objectives of Project No. 3.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$652,000	\$217,334
(2) Part E Block Support	-0-	
(3) Program Total	\$652,000	\$217,334
(4) Prior Funding	\$295,067	\$167,150

Program 5-12: Increased Crime Laboratory Service

Objective

The principal objective of this program is to increase crime laboratory services offered to the almost 600 law enforcement agencies of the State of New Jersey through expansion of the central crime laboratory at West Trenton and by establishment of regional or satellite laboratories.

The services of the forensic laboratory will be made more accessible to the agencies it serves with the placement of such laboratories at strategic locations throughout the State. Upon completion of the project, no police agency in New Jersey will be

more than 25 miles from an adequately staffed and equipped crime laboratory. The immediacy of scientific services is now vital to effective and efficient day to day police operations because of the ever-increasing importance placed on scientific evidence by the courts of the State.

The responsibility of the crime laboratory cannot end with case examination. Training of police in crime scene demeanor, with special emphasis on the proper recognition, preservation and recognition of physical evidence, is a facet of laboratory services which will be offered. The importance of such training cannot be overemphasized.

The manner in which police conduct themselves at the crime scene with respect to materials of possible evidential value should be a matter of direct concern to the forensic laboratory for it is here the scientific analysis begins. Improper methods or procedures at this juncture compound themselves as the analysis is continued in the laboratory.

Implementation

Program implementation to date includes the completion of the expansion of the Central Laboratory at West Trenton as well as completion of construction of the North Regional Laboratory at Little Falls, which commenced full-scale operation on August 1, 1972, and the anticipated opening of the South Regional Laboratory at Hammonton, now under construction, during March of 1973. It is anticipated that the construction of Regional Laboratory East at Sea Girt will begin during late calendar year 1973.

Phases for which funding is to be requested are in the areas of training of forensic chemists and laboratory technicians who will be assigned to Regional Laboratory East, salaries for those scientific personnel already assigned to Regional Laboratories North and South as well as those support clerical personnel assigned to these installations. Initial equipment purchases for Regional Laboratory East as well as additional equipment purchases for Regional Laboratories North and South will also be requested. The equipment purchase at Regional Laboratories North and South is for the purpose of bringing the instrumental analysis capabilities up to a level equal to the Central Laboratory at West Trenton.

The adjusted program time-frame listing partial implementation and that which remains to be accomplished is shown below:

Phase I — Construction of Regional North Laboratory at Little Falls — Completed and became operational August 1, 1972.

Phase II — Construction of Regional South Laboratory at Hammonton — Construction began May, 1972; scheduled for completion March, 1973.

Phase III — Construction of Regional East Laboratory at Sea Girt — Scheduled to begin July, 1973.

Professional laboratory personnel will be hired and trained for Regional East Laboratory, necessary equipment will be purchased and training of law enforcement personnel in the proper handling of physical evidence will be continued at Regional Laboratories North and South.

Scientific services to police, to be effective, must be responsive to the police need. Shown clearly in

the statistical summary which follows, is the degree by which this need has grown and how it has manifested itself as the workload of the Forensic Sciences laboratory of the Division of State Police.

LABORATORY CASE LOAD 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

PERCENTAGE OF DISTRIBUTION

State Police	Other Agencies
24.9	75.1
28.9	71.1
28.6	71.4
30.1	69.9

LABORATORY CASE LOAD TRENDS

Fiscal Year	Total Cases	State Police	Other Agencies
1971	13,394	4,035	9,359
1972	14,599	4,228	10,371
Percent Change	+9.0	+4.8	+10.8
1968	4,742	1,181	3,561
1972	14,599	4,228	10,371
Percent Change	+207.9	+258.0	+191.2

Subgrant Data

Because of the nature of this program, there will be only one subgrant of \$480,000 to be awarded to the New Jersey Department of Law and Public Safety and administered by that Department's Division of State Police.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$480,000	\$160,000
(2) Part E Block Support	-0-	
(3) Program Total	\$480,000	\$160,000
(4) Prior Funding	\$360,000	\$400,000

6. DIVERSION

Program 6-1: Improvement of Police Services to Juveniles

Objective

A priority in the area of delinquency prevention is to develop and implement programs within police departments that will promote a fair, consistent and understanding approach in handling juvenile problems, and that may help to create a favorable police image among youngsters having contact with the law.

The initial contact by a juvenile with the criminal justice system usually involves the police. Experience indicates that a large number of these cases are handled unofficially, and it is at this point that the police have a number of options, especially if the contact involves a relatively minor violation. The way any case is handled establishes, in part, the attitude juveniles have toward police. It is necessary, therefore, for police departments to handle juveniles in a way which deals with the problem which caused the police contact.

Currently, the vast majority of all juvenile offenders are either released in the custody of their parents or sent to the juvenile court. The objective of this program area is to provide the mechanism to divert as many juveniles as possible from the system to agencies or individuals who are capable of diagnosing the juvenile's problems and of working with them or referring them to others who are able to offer more extensive services.

Implementation

Applications are encouraged from local units of government, or combinations of such units, to implement programs to divert juveniles, particularly those persons in need of supervision, from the juvenile justice system.

Funding consideration will be given to projects which fall within one of two categories:

1. The establishment and staffing 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.

2. The expansion of present juvenile aid units to incorporate a wider variety of services to youthful offenders, such as serving as a referral source to other agencies that serve youth or hiring 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. Guidelines might include community referral, detention, and referral to court. It is anticipated that local departments will endeavor to establish formal guidelines to cover the wide range of police disposition, and the criteria for selection of the appropriate disposition.

Subgrant Data

Up to 15 subgrants ranging to \$25,000 will be made available to municipalities to either create juvenile aid bureaus with innovative services to juveniles or to continue the operation of previously funded projects.

Up to seven subgrants ranging to \$50,000 will be made available to cities with populations in excess of 75,000 to offer a wider range of diversionary services to juveniles coming in contact with the police.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$600,000	\$200,000
(2) Part E Block Support	-0-	
(3) Program Total	\$600,000	\$200,000
(4) Prior Funding	\$886,470	\$572,243

Program 6-2: Youth Service Bureaus

Objective

The objective of this program is the establishment of youth service bureaus to divert youth from the criminal justice system; to provide advocacy, brokerage and crisis intervention on behalf of youth;

and to encourage the needed systems change and general youth development.

It is imperative that communities find new ways of meeting their juvenile delinquency problems through innovative approaches. Presently troubled youths,

whose delinquency may be nurtured by unresolved social problems, many at times find their way to social agencies after entering the juvenile justice process. Existing social agencies are often confronted with youthful offenders who are hard to reach because of a lack of confidence on both sides and poor referral practices.

A thrust must be 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. The causal factors are a realistic target for delinquency prevention, and community organizations that have the confidence of their clients can attack these targets through integration of services needed by children and youth.

Implementation

This program is designed for the establishment of Youth Service Bureaus. Such a Bureau is intended to receive referrals from all branches of the community and the juvenile justice system, and act as central coordinator of all community services for youth, and also to provide or help to establish for 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.

Ideally, the Bureaus will offer a wide range of services and perform some mandatory functions. For example, cases referred by police agencies and court intake staffs might have special status in that Bureaus would be required to accept them all. In cases where serious offenses have been committed, the Youth Service Bureau will have the authority to refer to the juvenile courts those with whom they cannot deal effectively. The Bureaus will have the direct responsibility for developing and implementing a plan of service for a group 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 programs envision a contractual operation, the applicant should demonstrate a plan for eventual assumption of cost by the applicant's unit of government or the community. In all instances, the active interest and support of both local governmental officials and community leaders is a mandatory prerequisite.

A Youth Service Bureau should serve referrals

from the juvenile justice system, from appropriate non-criminal justice agencies and self-referrals. However, 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 high rates of juvenile delinquency. The location of a Bureau serving primarily pre-delinquents in a "low crime" area is not compatible with the State Law Enforcement Planning Agency's overall goals and objectives.

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 program and the willingness of other public and private community-based youth programs 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. The Bureau must possess adequate professional staff capability to be able to determine the problems and needs of each juvenile referred to, or coming to, the Bureau for help and 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 Bureau to other community-based youth treatment programs. The Bureau must maintain 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 on a referral basis.
4. The Bureau can provide legal services either through the use of volunteers coordinated by the Bureau staff or on a referral basis.

Where 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.

Funding will also be considered during this year to help implement a pilot Youth Service Bureau within a Division of Youth and Family Services district office to provide intensive youth services in areas of high delinquency rates. It would provide a model, which if successful could be implemented in all of the Division's 18 district offices.

The satellite center would be established in an urban area. It would be staffed by professional counselors, a community organizer and caseworkers skilled in referral and community people. The center would have available all of the resources of the Division of Youth and Family Services and also would attempt to coordinate the services of the police, the schools, other social service agencies and churches. In addition, the center would plan programs which would fill gaps in existing services to youth by applying for funds from other State agencies and private foundations.

Subgrant Data

Of the funds available for this program area during Fiscal Year 1973, all awards will be made on a competitive basis. Priority consideration will be afforded to applications for projects that offer the most comprehensive ranges of service and serve the largest client groups.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$840,000	\$280,000
(2) Part E Block Support	-0-	
(3) Program Total	\$840,000	\$260,000
(4) Prior Funding	\$194,145	\$ 65,029

Program 6-3: Diversion of Alcoholic Offenders

Objective

To encourage the development of projects that will more effectively promote the rehabilitation of chronic alcoholic offenders through medical diagnosis and treatment.

In order to relieve the police, courts and corrections agencies and to provide more humane and more effective treatment for intoxicated offenders, it is the objective of this program to establish detoxification and emergency care centers for public intoxicants, thus providing alternatives to the present procedure of arrest, conviction and jailing.

Implementation

Projects establishing diagnostic, detoxification, and follow-up services for public intoxicants will be established to provide a source of treatment for persons who normally would be processed by the

criminal justice system in a more official manner.

When a police officer comes in contact with a public intoxicant, the offender may, on a voluntary basis, consent to be taken to the detoxification center in lieu of possible more official action. Referral in such cases will not constitute an arrest and will not be recorded as a crime.

Drunkenness as a component of a criminal act may be treated by issuing a summons to the offender, and the intoxicant may still voluntarily choose to be taken to the detoxification center with the hope that when he or she appears before the court, the judge will consider the treatment as good faith and acknowledgment that like incidents would be less likely to happen in the future.

For those offenders referred by the courts, referrals to the program will be supervised by the county probation departments, with attendance at the center as a condition of referral.

Where referrals are voluntary, the offender will at all times retain his right to leave. And, where there is no suspension of the normal judicial process, the maximum length of stay should be no longer than ten days. All programs, however, must demonstrate that they shall be able to provide either on their own or through referral to other agencies, long-term treatment for the chronic alcoholic.

Each proposed project should indicate the provision of services of the following kind:

1. A police officer brings the "intoxicated" person to the reception room.
2. Center personnel complete a medical examination of the patient.
3. The patient is showered, given clean clothing, and assigned a bed.
4. Special nursing care and diets are provided.
5. Therapeutic activities — films, group meetings, discussions and lectures — are provided.
6. Each patient is counseled individually.
7. The patient, when necessary, is referred to other social, health and governmental services for further help.

Subgrant Data

Two subgrants will be made available to counties to establish detoxification centers serving numerous municipalities. These subgrants will range up to \$100,000.

Two subgrants will be made available to municipalities to establish city-wide detoxification centers, and will range up to \$50,000.

Any programs which require a postponement of the normal judicial proceedings against a defendant and/or contemplate recommendations for a dismissal of charges following treatment must be specifically approved for operation by the New Jersey Supreme Court. Requests for such approval shall be made directly to the Administrative Director of the Courts.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$300,000	\$100,000
(2) Part E Block Support	-0-	
(3) Program Total	\$300,000	\$100,000
(4) Prior Funding	\$154,140	\$ 58,818

7. ADJUDICATION

Program 7-1: Municipal Court Management and Improvement Program

Objective

To facilitate the processing of cases in the municipal court through better management. To improve the opportunity for just municipal court determinations through expanded court services.

Large municipal court operations are confronted with expanding caseloads and insufficient personnel to handle them. This is compounded in most instances by a lack of administrative management capability, inadequate pre-release procedures, lack of modern information reporting and retrieval systems, inadequate facilities requiring renovation, and lack of systemized procedures for the efficient handling of large volumes of cases.

The objective of this program is to institute major changes in one large city municipal court operation to meet the stated needs, to determine to what degree the processing of cases may be expedited, and to what extent ancillary services may lessen the

volume of business of other junctures of criminal case processing.

Implementation

The City of Jersey City will be offered funds to effect an improvement in three major areas of Municipal Court operation.

Municipal Court Management:

To provide a professional court administrator under the presiding judge to supervise all non-judicial employees and to introduce new systems and case processing methods.

To hire an additional attorney for the corporation counsel who will be assigned full-time to the Municipal Court to prosecute cases not handled by the Hudson County Prosecutor and to work in close cooperation with the County Prosecutor. In addition, he will assist police officers in filing complaints and in screening defendants for various diversion programs.

To provide defense counsel to indigent defendants who are ineligible for the Public Defender because of the nature of the charge against them.

To provide for architectural consultation in order to determine ways to make most effective use of existing space.

To provide for physical modification of existing courtrooms and office space as well as establishing new office space including interview rooms.

Pre-Trial Management Division:

To provide an assistant to the administrator who will oversee the processing of defendants prior to court appearance.

To take over and expand the existing bail project so that 100% of those arrested and incarcerated are interviewed.

To oversee the determination of defendants' indigency and eligibility for free defense counsel.

To examine current methods of granting pre-trial release and recommend improvements.

To provide space at the court where the Pre-trial Intervention Program can conduct initial interviews.

Family and Neighborhood Dispute Division:

To provide professional family counselors to screen all cases involving a "notice in lieu of complaint" which will result in more effective use of judge time.

To provide family counseling to defendants referred by Municipal Court judges.

To provide referrals to existing service agencies.

Subgrant Data

The City of Jersey City will be the only eligible subgrantee. Other municipalities will be considered in future plans as well as possible continuation funding for the Newark Project which will begin in early 1973 with 1972 funds.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$240,000	\$80,000
(2) Part E Block Support	-0-	
(3) Program Total	\$240,000	\$80,000
(4) Prior Funding	-0-	

Program 7-2: Expand and Improve the Diagnostic Services Available to the Juvenile Court

Objective

To provide the juvenile court with a complete, detailed diagnostic report on juveniles who are placed in custody and on other juveniles charged with delinquency who evidence severe emotional disturbance.

It is particularly important for juvenile court judges to have meaningful diagnostic information available at the time of sentencing. Diagnosis can assist the court in deciding on a program that will best serve both the delinquent and the community at large. Diagnosis can also act as a basis for counseling and placement within the community as an after-care approach.

A diagnostic adjunct to the juvenile court would help its staff conceptualize the everyday environment of the child being evaluated, and thereby create a more significant perspective. When children's behavior is disruptive beyond the bounds of social tolerance, evidencing emotional, psychological or social maladjustment resulting in delinquency; a swift, thorough background investigation and diagnostic evaluation is of prime importance in planning remedial action.

Implementation

Projects that establish professional diagnostic services to juveniles charged with delinquency, before or after formal adjudication, will be eligible. Special consideration will be accorded to the development of diagnostic teams, attached to either a probation department or juvenile shelter. Such a team might consist of all or some of the following personnel: director of diagnostic services, psychologist, social case worker, social investigator, learning disability specialist, visiting nurse. The team's major activities would be to develop a complete diagnostic report, including disposition alternatives on all children in detention, pending juvenile court sentencing. In addition, it would diagnose juveniles released to the community, pending juvenile court sentencing, who evidence extraordinary circumstances that warrant more than routine handling. Those jurisdictions already employing the diagnostic team approach are eligible to apply for a grant to expand their capabilities.

Examples of other types of project development include planning and pilot testing of a regional diagnostic center serving less populated, contiguous counties; purchase of services where resources do

not permit maintenance of a full-time diagnostic center; or diagnosis for placement and counseling as an after-care approach.

It is estimated that approximately 2,000 juveniles will be served by this program this year.

Subgrant Data

Five to eight grants ranging from \$35,000 to \$50,000 will be given to counties with population in excess of 200,000.

Consideration will be afforded to two or more contiguous counties with populations under 200,000 applying for multi-county diagnostic services. The purpose of the grant will be to study the feasibility of

establishing a regional diagnostic center and/or test the use of such services on a regional basis.

In all categories, priority consideration will be given the projects funded in earlier fiscal years for continuation of successful programs at a limited level of funding.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$400,000	\$133,334
(2) Part E Block Support	-0-	
(3) Program Total	\$400,000	\$133,334
(4) Prior Funding	\$668,613	\$350,683

Program 7-3: Improvement of Probation Practices

Objective

To improve probation practices by expanding the range of services offered to the clients and by providing effective alternatives to the courts for defendant management.

It is anticipated that through this program, in excess of 500 citizen volunteers will be actively engaged in the supervision of probationers, that two community probation service centers will be operational in high population counties and that approximately 20 high school graduates from the Black and Spanish speaking community will be recruited for probation service as aides and be prepared to qualify for probation officer careers.

Implementation

Funds will be provided to counties for a range of probation related projects initiated through the Administrative Office of the Courts. The following are examples of activities that will be considered.

1. Organization, recruitment and training of probation aides. It is anticipated that up to 20 Blacks and Spanish speaking individuals will receive technical training, be placed in probation aide jobs, and enrolled in college for academic preparation for probation officer careers.

2. Volunteer programs. Volunteers will be recruited and trained for a variety of court or probation tasks. Included may be services to juvenile conference committees, probation supervision, vocational development, or any other appropriate activities. Programming design of projects will be coordinated through Probation Staff Assistants at the Administrative Office of the Courts.

3. Community Probation Centers. The concept of providing a wide range of social services to probationers in a setting apart from the Courthouse will be pursued. Consideration will be given to the continuation of the Paterson project, funded with 1970 money.

4. Funds may be used for innovative approaches to probation supervision such as special caseloads, intensive treatment services, special vocational placement services, guided group interactions, etc.

Subgrant Data

One grant will be available to the Administrative Office of the Courts for a maximum of \$246,000, to provide for the Probation Research and Staff which will include areas of volunteer, diversion and specialized rehabilitation programs. Additionally, a grant of \$50,000 will be made available to the Administrative Office of the Courts to continue development of a training program for probation personnel.

A total of \$550,000 will be available for probation projects. Priority will be accorded to the urban, high crime counties. Projects funded under this program must be developed with the cooperation of the State Administrative Office of the Courts.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$550,000	\$183,334
(2) Part E Block Support	\$296,000	\$ 98,666
(3) Program Total	\$846,000	\$282,000
(4) Prior Funding	\$271,951	\$100,486

Joint Part C And Part E Funding

All of the Part E assurances and advanced practices will be applied to Part C funds.

Program 7-4: Judicial Management Information System (JMIS)

Objective

To manage court activities more efficiently; to help remedy undue delay through improved information processing as an integral part of a total court management program.

Implementation

The JMIS program will be implemented Statewide through the integration of a network of decentralized automated data systems now developing at the trial court level. The JMIS objective is to design initial systems modularly, thereby allowing a "building block approach" for the expansion to include types of information on criminal, juvenile, civil, and probation activities of the courts. Eventually all these court activities would be integrated within each county and the county court information system would be converted from a batch level of technology to a real-time information system. Each county system would provide information to the State to assess effectiveness of court activities and the effectiveness of alternatives of judicial dispositions.

The JMIS program will be coordinated at the State level by the Administrative Office of the Courts. The position of an information systems coordinator has been established by the Administrative Office of the Courts to perform the coordinating function. A data processing analyst position also has been created to assist in this effort. Additionally, a JMIS steering committee has been established to assist in coordinating JMIS throughout the State. The membership consists of the information systems coordinator and county trial court administrators. Several of the court administrators have had significant automation experience which should prove useful in guiding the JMIS development.

The information systems coordinator will evaluate the scope of individual systems development at the trial court level, appraise the services of automation consultant contractors and make recommendations

to the steering committee and to the State Law Enforcement Planning Agency to assure conformity to JMIS concepts among the counties.

Subgrant Data

A financial commitment by the State Law Enforcement Planning Agency is being made to support the development of JMIS. The money will be applied to demonstrate the impact and utility of automated information systems as part of the implementation of an innovative and comprehensive management program for the courts concentrating on criminal matters.

A block action grant of \$700,000 will be allocated among the following high crime incident counties to continue developments in meeting the objectives of the JMIS: Essex, Camden, Hudson, Passaic, Mercer, Bergen, Union, Middlesex, and Monmouth. Individual subgrant awards to these counties will be made in accordance with the priorities of JMIS and on the recommendations of the Administrative Office of the Courts. Individual differences in the subgrants to counties will represent the various levels of technology, stages of development, and level of sophistication that individual counties are hoping to achieve.

One grant will be allocated to the City of Newark for continuation of the Criminal Justice Information System in the amount of \$300,000.

Additionally, \$250,000 will be allocated to the Administrative Office of the Courts for the State level complement of the trial court information systems and for coordinating the development of JMIS.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$1,250,000	\$416,667
(2) Part E Block Support	-0-	
(3) Program Total	\$1,250,000	\$416,667
(4) Prior Funding	\$1,303,749	\$985,033

Program 7-5: Expanded State and County Prosecution of Organized Crime

Objective

To expand and improve the operations of selected county prosecutors' offices in the investigation and prosecution of organized crime, and to make all such operations compatible with the work of the Division of Criminal Justice in the State Department of Law and Public Safety.

Implementation

The State Law Enforcement Planning Agency will provide funds to selected county prosecutors' offices for the recruitment and training of special investigative personnel, the development of special prosecutive capabilities in the area of organized crime, and the purchasing of technical investigative and detection equipment.

The local cohesive effort envisioned in this program will utilize the legal and investigative staff of the county prosecutor and the investigative arm of the police to form a unit exclusively dedicated to investigation and prosecution of organized crime figures. This county-city unit will be directed by the county prosecutor in conjunction with the city police or public safety director, and will be assisted by and work in harmony with the State Department of Law and Public Safety through that department's Divisions of Criminal Justice and State Police.

The desired results are the improvement of local capability against organized crime in major metropolitan areas, and the development of model county-city programs for other metropolitan jurisdictions in the State.

Funds are also being made available to the New Jersey State Division of Criminal Justice for the continuation of the resource pool of organized crime investigative personnel and equipment which was made available to local law enforcement agencies and State agencies for the purpose of combatting organized crime.

This resource pool will remain under the control of the Attorney General of the State of New Jersey. Specialized, operative, technical, and prosecutorial personnel will continue to provide expert knowledge and assistance in such areas as accounting and finance, investigation of land transactions, surveillance gathering techniques, and specialized

prosecution techniques. The central pool of technological investigative aids will continue to be made available to appropriate local and State agencies. These resources will be temporarily assigned to requesting agencies as approved by the Attorney General. The requesting agency must justify its need for these additional personnel and equipment resources in order to increase its investigative and prosecutive capabilities for a particular purpose at a particular time.

Specifically, funds will be provided for additional training and compensation of two accountant-finance specialists, statistician and one land title searcher. Funds will also be used for travel and subsistence expenditures for the personnel in the resource pool and the purchase of additional supportive equipment.

Subgrant Data

There will be two grants of \$150,000 each for the continuation of the "Essex-Newark Strike Force to Combat Organized Crime" and "Mercer County-Trenton Organized Crime Task Force".

One or two grants of between \$100,000 — \$150,000 will be made available to counties having a full-time prosecutor's staff to implement additional organized crime task forces.

Funds will also be made available to the Division of Criminal Justice, New Jersey Department of Law and Public Safety, for continuation of the resource pool of organized crime investigative personnel and equipment to be made available to local law enforcement agencies and State agencies for the purpose of combatting organized crime. No new funds are being allocated for this project this year since carry-over funds are being utilized from the 1972 Plan.

Budget

	LEAA	State, Local or Other
* (1) Part C Block Support	\$ 500,000	\$166,667
(2) Part E Block Support	-0-	
(3) Program Total	\$ 500,000	\$166,667
(4) Prior Funding	\$1,596,664	\$662,020

* 1972 Carryover Funds for the State project.

Program 7-6: Specialized Training of Court Professionals and Supporting Judiciary Personnel

Objective

There is a need for intensified training opportunities to enable the judiciary to be more responsive to specialized legal and administrative problems of the criminal justice system.

The training objective is to develop opportunities for judges, trial court administrators, and other supporting staff for creative educational improvement. Training will emphasize current procedural and substantive law concerned with crime specific reforms, particularly in specialized areas such as juveniles, pre-trial and post-trial dispositional alternatives, and constitutional limitations. Additionally, it will emphasize effective administrative techniques such as modern court management concepts and use of automation. The overall program of specialized seminars and discussions will give judges and court administrators the opportunity to explore innovative techniques responsive to the problems of the criminal justice system.

The first phase of the training program conducted by the Administrative Office of the Courts during 1972 consisted of several programs sponsored by LEAA: Institute of Court Management, National College of State Trial Judges, and the National College of Juvenile Justice. The program reached all levels of the judiciary including municipal court clerks as well as trial judges and court administrators. Individual seminars covered such specialized topics as prearraignment procedures, constitutional limitations, specialized criminal processing, juvenile conferences, corrections workshops, and docket studies. A substantial roster of attendees for the first phase of the program indicated that the judiciary is enthusiastic over training opportunities.

Implementation

In the past, the Administrative Office of the Courts has provided individual training projects on a piecemeal basis. As a result, the training program in its present form has not achieved its potential level of effectiveness. Accordingly, a judiciary training

coordinator will be charged with the planning, and administrative coordination of the training program for the judiciary. The coordinator will devote his time and attention to recognizing, understanding, and defining the training problems of the courts.

The implementation of the training plan will be divided into two broad areas of subject matter:

1. Management techniques in a court environment.

2. Specialized seminars for judges on recent developments in substantive and procedural law.

These categories represent the functional training needs of the judiciary. Additionally, they are the areas in which capabilities development can be the most beneficial in stimulating immediate improvements within the criminal justice system. As in the previous year, the program will include a number of LEAA-sponsored seminars.

Subgrant Data

The State Law Enforcement Planning Agency encourages the development of a training program for the judiciary. Funding for this program will be applied to demonstrate the impact of specialized training to effect improvements in criminal justice administration.

A grant of \$50,000 will be allocated to the Administrative Office of the Courts to provide for the training programs for court professionals during the Fiscal Year 1974. A grant of \$15,000 will also be allocated to the Administrative Office of the Courts to continue the Office of Training Coordinator, Judiciary to the end of the State fiscal year when State support is anticipated.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$65,000	\$21,667
(2) Part E Block Support	-0-	
(3) Program Total	\$65,000	\$21,667
(4) Prior Funding	-0-	

Program 7-7: Trial Court Activities Improvements

Objective

The courts are the focal point of the criminal justice process since their activities directly affect the efficiency of all other criminal justice components. In this respect, there is a need for innovative trial court reform projects responsive to other criminal justice components in the administration of court activities.

Individual improvement projects will involve all phases of court administration including procedures, calendar management, recording and reporting systems, staff utilization, and court services for specialized defendants. Projects will be both study efforts and action programs. Studies will examine the interfaces of court operations with other law enforcement components and measure the benefit to court management. The goal of action projects will not only be for better court performance, but for more effective response to the total criminal justice system needs. Further, it will be the objective of the overall program to develop individual prototype projects to demonstrate their utility to other jurisdictions and other components of law enforcement. Assuming success of individual projects, guidelines and standards would be established to promote consistency within the various jurisdictions of the State and to assure that the economies of these court reforms can be realized in the costs of court operations.

Implementation

Because the State Administrative Office of the Courts has an overview of the total State court system and administrative responsibility in its operations, a number of projects will be carried out under its jurisdiction that will accrue benefit to the 21 county courts. The program will also provide funding to county and local court units throughout the State to implement pre-tested operational programs where the need exists. Further, the program will provide funds to local units where project design is unique to the local unit and deals with an identified crime specific problem. The State law Enforcement Planning Agency will seek the recommendations of the Administrative Office of the Courts as to project design for all local unit project applications.

The Court Planning Service within the Administrative Office of the Courts will be available to provide technical assistance in the areas of problem

definition and program design and management for all projects conceived at the local levels.

Subgrant Data

There will be one grant to the Administrative Office of the Courts. The funding level for 1973 will be \$105,000. The following State level activities will be among others funded under this program.

a. Appellate Staff Project. This project provides supplementary legal staff for the Appellate Division. The program is an innovative research service in screening Appellate cases in such a manner as to reserve the time of judges to work on novel and difficult appeals.

b. Recording and Reporting System. This project will include the pre-testing of the video tape deposition center and a mobile service unit to examine the feasibility of obtaining expert medical testimony in criminal cases without interrupting a physician's normal routine. The project additionally contemplates examination of state of the art accomplishments in the areas of sound recording, computer transcription of court records, telecopying, and records management and retrieval. Some of this work will be accomplished in cooperation with LEAA sponsored technical assistance contractors, such as American University.

c. Personnel and Juror Utilization. This project will be an examination of personnel requirements in support of a uniform court system to arrive at a common determination related to titles, requirements, responsibilities, and pay levels. This project will be initiated in 1973 by seeking LEAA technical assistance in determining parameters of a Statewide personnel requirements study.

d. Court Interpreters. This project will program implementation of court interpreters in areas where language difficulties have contributed to the delay in the court system. The use of court interpreters in the major metropolitan areas will have a significant impact on expediting the handling of cases. This project will provide for the standards and a program for certification of court interpreters but not the subsidation of their salaries.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$105,000	\$35,000
(2) Part E Block Support	-0-	
(3) Program Total	\$105,000	\$35,000
(4) Prior Funding	-0-	

Program 7-8: Centralized Handling of All Criminal Appeals for the State

Objective

The purpose of this program is to provide the resources necessary to permit the Division of Criminal Justice through the Appellate Section to assume responsibility for handling all criminal appeals on behalf of the State.

The Criminal Justice Act of 1970 authorized the Attorney General, through the Division of Criminal Justice, to act for any county prosecutor in representing the interests of the State in any and all appeals and applications for post-conviction remedies. In order to relieve the prosecutors from the rapidly expanding burden of handling appeals and to develop a consistency of position and effort on behalf of the State in appellate matters, the Division has already assumed full responsibility for appeals in seven counties. The compact size and population density of New Jersey support the developing trend toward centralized supervision and policy decision in the conduct of many phases of law enforcement. This is especially important in the area of appeals, where centralization permits development and presentation of consistent positions of law to the courts and, by way of guidance, to the prosecutors. In order to extend this unique, centralized approach to the entire State, it is necessary to expand the staff and facilities of the Appellate Section sufficiently to permit assumption of responsibility for appeals in 14 remaining counties which include the State's largest metropolitan areas.

Implementation

The Appellate Section of the Division of Criminal Justice was expanded to provide the additional

lawyers, supporting staff, office space and equipment, including research facilities, necessary to permit assumption of all the State's criminal appellate business. In addition to preparing and presenting all written and oral appellate arguments, the expanded Appellate Section will develop a brief bank to which researchers and prosecutors may turn for guidance on legal issues which have been raised in past criminal appeals.

It is anticipated that the 15 additional attorneys and supporting staff hired in 1972 will be refunded in order to complete centralization of the appellate process. This will release personnel in the several prosecutors' offices who must now spend a disproportionate share of time doing frequently repetitive legal research, to devote their full time to the investigation and prosecution through the trial stage of the criminal business in the State.

Subgrant Data

There will be one grant to the Division of Criminal Justice. The cost of this program will be assumed by the State after this funding period.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$210,000	\$ 70,000
(2) Part E Block Support	-0-	
(3) Program Total	\$210,000	\$ 70,000
(4) Prior Funding	-0-	

Program 7-9: Increase Public Defender's Staff

Objective

To reduce court delay caused by lack of sufficient public defender staff.

The Public Defender has not had adequate staff to fulfill its primary objective, i.e., the representation of indigent defendants.

Since the inception of the program in 1967, case assignments have steadily increased. Case dispositions have also increased, but not at the same

rate. The result has been an increasing backlog which threatens to limit the effectiveness of the criminal justice system. A delay in the ability of the Public Defender to handle cases imposes a delay on the court processing of cases. No case can be tried until the Office of the Public Defender is prepared to try it. The backlog, therefore, can delay the trials of a great many defendants.

At the end of the 1971 Fiscal Year, the backlog of cases at the trial level was enough to require Public

Defender effort for 8.5 months, even if there were no new assignments within this period.

At the end of the 1972 Fiscal Year, the trial backlog was 8.3 months. This was due to increased attorney productivity, a longer court day and an increase in experience level.

SLEPA has approved for the 1973 Fiscal Year a grant of \$500,000 to enable the Public Defender to hire attorneys, investigators and supporting clerical staff. Consequently, if the current rate of case assignments continues, and attorney productivity stays at the same high level, this, along with the additional positions should lower our backlog to 7.7 months, and will represent the most advantageous posture the office has enjoyed since its inception. It becomes extremely important to the Office of the Public Defender and to the criminal justice system, that the SLEPA grant be continued for the 1974 Fiscal Year so that the ground gained by the Office of the Public Defender in reducing trial backlog will not be lost, causing a return to the tenuous position of an increasing backlog as it was prior to 1972 Fiscal Year.

There is a backlog situation in the Appellate program which requires immediate remedy. At the end of 1971 Fiscal Year, the Appellate backlog was 7.6 months. It rose to 8.9 months at the end of Fiscal 1972. The total effect of the large backlog of cases in the Public Defender's Office is therefore the weakening of the whole criminal justice system. That system can never be any stronger than its weakest agency. Any one agency can provide a drag on the

whole system. Funding of the Public Defender's Office for a program to reduce its backlog is necessary.

Implementation

With the continuation of the SLEPA grant for Fiscal 1973-1974, the Public Defender will attempt to hold the trial backlog at 7.7, although preliminary projections indicate it may rise to 8.9 by the end of 1974.

A concentrated effort will be made to reduce Appellate backlog with the positions currently funded by SLEPA and the possible addition of new positions from the budget.

In view of the foregoing, it becomes most imperative that the SLEPA grant already in effect be continued to cover the positions approved.

Subgrant Data

The Office of the Public Defender, Department of Institutions and Agencies, will be the only eligible subgrantee.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$755,000	\$251,667
(2) Part E Block Support	-0-	
(3) Program Total	\$755,000	\$251,667
(4) Prior Funding	\$500,000	\$166,666

Program 7-10: Development of a Statewide System for a Pre-Trial Release

Objective

To provide a uniform, statewide system of pre-trial release administered by a full-time staff under supervision of the assignment judge.

There is a need to establish operational procedures that are consistently applied throughout the 21 counties. Various methods of pre-trial release administration have been experimented with in the Essex County Bail Project and the procedures have been refined to most effectively carry out the pre-trial release functions, particularly release on recognizance. It is proposed that the benefits of the Essex County experience be applied to other jurisdictions in expanding or initiating pre-trial release activities.

Implementation

Pre-trial release units will be established in jurisdictions selected for participation by the State Administrative Office of the Courts and applications for funds must be accompanied by documented support of that agency.

Funds will be provided to counties to establish formal pre-trial release units under the supervision of the Assignment Judge. The effects of such units upon the actual operation of liberalized bail practices will be demonstrated.

The pre-trial release unit will collect and verify information for the determination of eligibility for release on personal recognizance or other permissible substitute for surety bond, and will also

make an evaluation of potential risk as a means of identifying and screening out those defendants who are considered bad risks as far as the public is concerned. This type of service will reduce to a minimum the potential risks defendants pose to the community as a result of their pre-trial release.

Experience indicates greater efforts need to be made to secure compliance of released defendants with court appearance schedules. With adequate staff, the pre-trial release units will be in a position to assume responsibility for giving proper instructions to defendants regarding their obligations at the time of release, as well as for monitoring their availability for later court appearance.

Subgrant Data

It is anticipated that four to five counties or large municipalities will be provided funds to establish new

pre-trial release units or to modify and expand existing efforts. Grants will range from \$35,000 to \$50,000.

Budget

	LEAA	State, Local or Other
* (1) Part C Block Support	\$ 50,000	\$16,667
(2) Part E Block Support	-0-	
(3) Program Total	\$ 50,000	\$16,667
(4) Prior Funding	\$138,720	\$90,959

*1972 Carryover funds will be utilized in addition to the above allocation.

8. INSTITUTIONAL REHABILITATION

Program 8-1: Improvement of County Jail Practices and Programs

Objective

To assist counties in instituting projects that will promote the rehabilitation of adults placed in custody pending municipal or county court disposition or serving sentences as a result of court commitments.

Each of the 21 counties in the State is responsible for operating detention facilities for adults placed in custody pending court action or other administrative determination, and for adults serving short-term sentences as a result of municipal or county court determination. A recent survey of county jail officials disclosed that little effort is being exerted to develop rehabilitation programs in the jails, or to assist releases in becoming integrated as productive citizens in the community.

Implementation

Applications may include requests for staffing to provide remedial education, group therapy, social casework or psychological counseling. The purchase of professional services to supplement jail program activities can be included. Consideration will be

accorded to the development of volunteer services to inmates. Counties might, for example, wish to employ a director of volunteer services who would be responsible for stimulating citizen interest in the implementation of rehabilitation projects. The initiation or expansion of county work release programs including administrative and operational costs may be considered.

Subgrant Data

It is anticipated that from five to six subgrants from \$50,000 to \$150,000 will be made to counties. Special consideration will be accorded to those counties with a population in excess of 200,000.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$550,000	\$183,334
(2) Part E Block Support	-0-	
(3) Program Total	\$550,000	\$183,334
(4) Prior Funding	\$284,523	\$239,142

Program 8-2: Improvement of Juvenile Detention and Correctional Practices and Programs

Objective

To continue assisting counties in instituting programs that will promote the rehabilitation of juveniles placed in custody pending juvenile disposition; and to continue the operation of volunteers in corrections program.

Several county jurisdictions that have no separate facilities house juveniles in special sections of the county jails, or in private detention facilities in adjacent counties. Some counties restrict the use of their shelters to children under the age of 16, placing the 16 to 18-year-olds in a part of the county jail devoted to juvenile detention.

Many of these juvenile detention shelters simply hold youngsters until court appearance, without attempting to initiate efforts at rehabilitation. It is recognized that confinement pending a juvenile court appearance is only for short periods of time. Nevertheless, it is at this juncture in the criminal justice process that youngsters are most likely to be receptive to professionally administered treatment programs. Interruptions in educational development can be extremely damaging; therefore, there is a need for implementation of programs that will bridge the school-to-detention-to-school gap.

The placing of children under the age of 18 in a county jail, even in a separate section, is contrary to sound correctional practice. Such confinement is prohibited by law for children under the age of 16. A need exists, therefore, to provide a detention environment that is supportive of both diagnosis and treatment.

The funds in this program, in addition to those provided in the 1972 Plan, are sufficient to form the nucleus of a treatment program in every detention shelter not now providing significant services.

Implementation

Projects that initiate or expand rehabilitation efforts directed to juveniles in county detention facilities will be eligible for funding. Projects may include staffing to provide remedial education, group therapy, social casework, psychological counseling, or the training of existing staffs in child care. Projects involving the purchase of professional services to supplement detention program activities will also be considered. Special consideration will be accorded the development of citizen volunteer services to detainees. Counties might, for example, wish to employ a director of volunteer services who would be responsible for stimulating citizen interest and implementing related programs. Of prime importance, also, are projects which provide an educational continuity for the child with counseling and after-care placement approaches.

The State Division of Correction and Parole will continue the operation of the volunteers in corrections program.

Subgrant Data

Five to six grants ranging from \$30,000 to \$60,000 are contemplated. Special consideration will be accorded to those counties funded with 1971 and 1972 Part C funds that desire to continue their projects.

One grant of \$45,000 will be available to the Division of Correction and Parole to continue its volunteers in corrections project using the Part E funds.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$400,000	\$133,334
(2) Part E Block Support	\$ 45,000	\$ 15,000
(3) Program Total	\$445,000	\$148,334
(4) Prior Funding	\$430,146	\$281,098

Program 8-3: Improvement of Direct Treatment Services in State Correctional Institutions

Objective

To build a professional staff complement — psychiatrists, psychologists, social workers — within the correctional institutions; to provide basic admission and departure case services, adequate

emergency room psychotherapy, more effective continuing service for those returned from the State hospital following treatment, supportive contact for the less disturbed group, and the essential service of providing an outlet for riot producing tensions.

In 1971, there were 11 direct treatment professional positions available in the prisons to meet a caseload of 6,100, or one position for every 555. The direct treatment staff time available in the prisons is more than exhausted by admission and departure case services alone. Not even the barest minimum of emergency room psychotherapy for those inmates expressing suicidal depressive reactions and severe assaultive episodes has been provided. More than 100 inmates are transferred to State psychiatric hospitals each year.

Implementation

The State Division of Correction and Parole will continue to furnish direct treatment professional staff to provide expanded services to the State adult correctional institutions. Psychiatric, psychological, and social services will be continued, using mobile teams, at the following institutions; Trenton, Rahway, and Leesburg prisons. Funds available in the program area are not sufficient to provide a comprehensive direct treatment program in all of the State institutions. Staff in adequate numbers to implement a viable program in each target institution

will be funded rather than spreading the staff among all institutions. The institutions benefiting from this project will be chosen by the State Division of Correction and Parole based on its estimate of critical need.

It is anticipated that comprehensive direct treatment services will be implemented in at least three institutions and that on the basis of at least three client contacts each working day, a minimum of 8,820 direct treatment service referrals will be handled.

Subgrant Data

The State Division of Correction and Parole will be the only eligible applicant.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	-0-	
(2) Part E Block Support	\$154,000	\$51,334
(3) Program Total	\$154,000	\$51,334
(4) Prior Funding	\$150,000	\$53,960

Program 8-4: Expansion of Correctional Training Center

Objective

To provide a central facility for a comprehensive training program for State and local corrections.

The State Division of Correction and Parole established the Correction Officers Training School in 1972. Minimum training standards for pre-service and experienced personnel are being developed. Statewide standards for the 21 county jurisdictions, each operating its own correctional system, will be developed and fully implemented by July 1, 1973.

The objective of this program is the continuation and expansion of a centralized training operation that will offer pre-service and in-service training to both State and county level correction officers. It is anticipated that the program will be expanded to include on-site, in-service training and act as a central training resource.

Implementation

Funds will be utilized by the Division of Correction and Parole. State facilities will be utilized for both residential and non-residential training.

Subgrant Data

The State Division of Correction and Parole will be the only eligible applicant.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	-0-	
(2) Part E Block Support	\$350,000	\$116,667
(3) Program Total	\$350,000	\$116,667
(4) Prior Funding	\$320,000	\$106,667

Program 8-5: Vocational Preparation for Confined Offenders

Objective

To establish projects that will prepare offenders in correctional confinement for employment skills that are in demand, and that command reasonable wages and offer career opportunities.

A common characteristic of the vast majority of young adults in correctional confinement is that of employment failure. In a society where acquisition of material goods is deemed a prime requisite for social status and self-respect, it is essential to acquire skills that may be used to legitimately compete for a degree of material success beyond mere survival.

There is a lack of vocational training in saleable skills in virtually all of the State and county correctional institutions. Initial investment for the facilities, equipment and material to establish vocational training programs congruent with the demand of the industrial marketplace has been beyond the scope of available resources.

Implementation

The State Division of Correction and Parole will establish a vocational training program within one or more of the adult correctional institutions. Training will be in trades determined to be relevant to job

vacancies after consultation with the labor leaders, and State and Federal employment specialists. Specifically, the New Jersey Manpower Corrections Program will be consulted. Monies may be used for equipment, renovation of facilities, instructors, aptitude testing, counseling, vocational rehabilitation services, and job developers. This program will coordinate with the community correction centers to be established whereby inmates with acquired vocational skills may test their employability prior to release in a residential setting close to major employment sources.

Subgrant Data

The State Division of Correction and Parole will be the only eligible applicant for this program.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	-0-	
* (2) Part E Block Support	-0-	
(3) Program Total	-0-	
(4) Prior Funding	\$76,295	\$25,657

*1972 carry over funds will be utilized

Program 8-6: Improvement of Academic Education In State Correctional Institutions

Objective

To continue to expand the opportunity for academic education to all inmates of State Adult Correctional Institutions who wish to participate. Emphasis is to be accorded to literacy training and basic education skills with college level study as a secondary goal.

Roughly half of the prison population inmates require basic education. A major increase in the number of teachers is required to meet basic educational objectives alone. Among prison admissions, 50 percent are age 30 or less, 59 percent are Black, 50 percent have below average I.Q., 48 percent have completed 8th grade or less, and 50 percent read at sixth grade level or less.

It is anticipated that a complete basic education program will be implemented in State prisons, that the State corrections educational programming will

be expanded to a 12 month basis, and that the college level program will be expanded in the State prison system as funds will permit.

Implementation

The State Division of Correction and Parole may employ a variety of approaches in providing educational opportunity to inmates. The staff of the departments of education at the three State Prisons may be increased to help fulfill the basic education needs. These staff positions would include people skilled in the area of reading and learning disabilities. The Division may contract with universities or private agencies to provide guidance in developing and implementing a viable remedial education program for adults. Funds may be used to plan and/or commence implementation of a separate school district for corrections, in cooperation with the State

Department of Education. Funds may be used to expand the media college level education program under way in the State prison system, utilizing college or university resources.

Subgrant Data

The State Division of Correction and Parole, Department of Institutions and Agencies will be the only eligible applicant.

Budget

	LEAA	State, Local or Other
* (1) Part C Block Support	-0-	
* (2) Part E Block Support	-0-	
(3) Program Total	-0-	
(4) Prior Funding	\$23,500	\$13,800

* 1972 Carryover funds will be used

Program 8-7: Treatment of Drug Dependent Inmates

Objectives

The objective of this program is to provide a comprehensive drug treatment program in State correctional institutions.

It is estimated that over 50% of the inmates in the State's correctional institutions have drug problems, and that seven out of ten inmates have used drugs at one time or another. The majority of the drug abusers are addicted to opiate derivative drugs.

Due to the severity of the problem, the need for comprehensive professional drug treatment programs is recognized, providing for the rehabilitation of the drug dependent inmate and his eventual establishment as a productive member of society. A secondary benefit will be the partial easing of tensions while in the institutions.

Implementation

Projects that are directly concerned with the treatment and rehabilitation of inmates in the State's institutions who are narcotic drug addicts or habitual

drug users will be eligible for funding.

Projects that provide innovative treatment methods and a continuance of services following the inmates' release will receive priority consideration.

Subgrant Data

The State Division of Correction and Parole, Department of Institutions and Agencies will be the only subgrantee. It is anticipated that these funds will provide initial start-up costs for implementation of drug rehabilitation programs in the three State prisons. Additional resources will be made available to continue the projects when required.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	-0-	
(2) Part E Block Support	\$400,000	\$133,334
(3) Program Total	\$400,000	\$133,334
(4) Prior Funding	-0-	

9. NON-INSTITUTIONAL REHABILITATION

Program 9-1: Community Treatment Facilities for Juveniles

Objective

To establish within the community residential and non-residential treatment facilities as alternatives to State correctional facilities. These programs are experimental and the specific purpose will be to provide treatment for juveniles who have appeared before the courts. They will be sponsored by private non-profit groups.

The most effective correctional programs are those that operate as close to the community as security will allow. Each of these programs will have an evaluation component which will record recidivism rates and compare them to other forms of corrections. The object will be to test the concept that community based, community sponsored programs result in reduced recidivism. Control

groups should include juveniles placed on probation as well as those sent to state sponsored facilities.

Implementation

Programs in this area will be both residential and non-residential.

Non-residential community treatment centers will be sponsored and/or operated by private non-profit groups to deal with court referred juveniles in treatment-oriented community settings. This approach focuses on juveniles who would otherwise be placed on probation or committed for delinquent acts. Features of such a project could include medical and dental treatment, psychological evaluation and treatment, recreational activity, group sessions, remedial education, career development, and family involvement. Such projects must have a working relationship with the courts, the Probation Departments, social agencies, and the confidence of the general community.

Residential community treatment centers could include all of the services and treatment listed above; these facilities would be for juveniles for whom the Judge decides that residential placement within the community is appropriate. As in the non-residential

programs, placement in the program would be a condition of probation. The purpose will be to provide the necessary rehabilitative services which will result in the juveniles' successful return to his own residence and school. Close follow up and social work services will arrange for suitable placements if this is not possible. The emphasis will be on rehabilitation and the prevention of recidivism.

Subgrant Data

Up to four subgrants ranging to \$175,000 will be made available to local units of government to establish treatment facilities that are residential in nature.

Up to three subgrants ranging to \$125,000 will be made available to local units of government for non-residential programs.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$681,000	\$227,000
(2) Part E Block Support	-0-	
(3) Program Total	\$681,000	\$227,000
(4) Prior Funding	-0-	

Program 9-2: Community Correctional Alternatives

Objective

To provide additional alternatives to the courts or corrections in order to better meet the needs of the individual, while maintaining the safety of the community.

There is no doubt that the best opportunity for rehabilitating offenders lies in community-centered programming, avoiding where possible the negative experience of incarceration. Where reasonable and consistent with protection of person and property, the court should have available a range of alternatives to meet situations as they arise. This program offers these alternatives: one is an approach that can culminate in terminating the court process itself for selected offenders; another can provide community supervision or after care services to the county jail; still others can provide residential treatment facilities for adults who are temporarily displaced as a result of incarceration.

Implementation

The Newark Defendants' Employment Project is designed to give selected defendants appearing in

Newark Municipal Court an opportunity to have the court process suspended for 90 days. During this period an attempt is made to resolve the problems, and if successful, the case is continued for further court action. A similar project is funded in Hudson County.

Subgrant Data

Funds will be reserved for continuing the Newark Defendants' Employment Project and the Hudson County Pre-trial Intervention Project, in the amount of \$400,000.

A total of \$200,000 will be available for funding projects operated by county or municipal agencies or private agencies under contract to county or municipal units of government serving county or municipal courts or correction agencies.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$600,000	\$200,000
(2) Part E Block Support	-0-	
(3) Program Total	\$600,000	\$200,000
(4) Prior Funding	\$450,179	\$164,146

Program 9-3: Expansion of Community Based Correctional Alternatives

Objective

To establish a network of community correctional centers for adults or juveniles located in major cities that will serve to bridge the gap between full confinement and release, that will provide special rehabilitation services in residence for paroled offenders who evidence critical adjustment problems, and that will serve as a resource for released offenders who need assistance, whether or not under active supervision.

By July, 1973, it is expected that up to five percent of the male adult State correctional population at a given time will be served in the community centers.

Implementation

The State Division of Correction and Parole is developing two Adult Community Service Centers and three Juvenile Treatment Centers with funds provided in the "1971 New Jersey Plan for Criminal Justice". The funds under this program would permit the implementation of possibly two more such projects or the purchase of facilities in order to implement the programs.

The centers will be programmed to receive offenders from State correctional institutions or directly from the court and may provide the following services:

- 1) A residential setting for work releasees, educational and vocational training releasees, and furlough releasees.
- 2) Out-patient drug treatment services, including guidance counseling and methadone maintenance.
- 3) Intensive supervision in a relatively closed residential setting for parolees in time of crisis and/or as an alternative to return as a parole violator.

4) A "hot-line" service for parolees and ex-inmates and their families in time of crisis.

5) "Half-way out" pre-release testing for inmates who need a more highly structured program than normal parole supervision.

6) Vocational guidance, job finding, and job referrals.

In addition to the community correctional centers, funds would be made available to expand the central office staff responsible for development of the community-based corrections operations.

It is anticipated that each community correctional center will accommodate 50 in residence. When fully operational, by July 1, 1973, from 200 to 250 offenders will be in residence at any given time. Assuming an average four-month period in residence, from 600 to 750 offenders would be in residence in a year of full operations.

Subgrant Data

The State Division of Correction and Parole or a private agency sponsored by the Division will be the subgrantee.

A maximum of \$35,000 will be available for central office staff and \$415,000 for the continuation or expansion of present programs. A maximum of \$391,000 of 1972 carryover funds will be utilized for the purchase of facilities or program expansion.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	-0-	
(2) Part E Block Support	\$ 500,000	\$166,667
(3) Program Total	\$ 500,000	\$166,667
(4) Prior Funding	\$1,542,955	\$744,025

Program 9-4: Improvement of Parole Practices

Objective

To improve parole practices by expanding the range of services offered to the clients and by mobilizing citizen support and participation in the rehabilitation of offenders.

It is anticipated that through this program, in excess of 500 citizen volunteers will be actively engaged in the supervision of parolees, that two community probation service centers will be

operational in high population counties and that special parole case services will be inaugurated in the nine district parole offices.

Implementation

The State Division of Correction and Parole will be offered funds to continue a project begun in 1971 to recruit and train lawyers as citizen volunteers to help supervise parolees. This project is conducted in cooperation with the New Jersey Bar Association and

is Statewide in scope. It is anticipated that 500 lawyers will participate, each one assigned to one parolee.

The State Division of Correction and Parole will institute special caseloads throughout the nine district offices, concentrating attention on cases with severe problems and high failure potential. Up to 150 parolees will be so assigned with the objective of reducing parole failure in the target group. The State Division of Correction and Parole will also institute special caseloads to address the problems of the inmate who is released following service of his maximum sentence without the benefit of parole.

Subgrant Data

One grant will be available to the State Division of Correction and Parole, maximum \$70,000, for the continuation of the Volunteer Lawyers project.

A maximum of \$200,000 will be available to the State Division of Correction and Parole for instituting specialized caseloads. Consideration will be given to the Division of Youth and Family Services for programs related to young parolees.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support*	-0-	
(2) Part E Block Support	\$70,000	\$23,334
(3) Program Total	\$70,000	\$23,334
(4) Prior Funding	-0-	

*Additional 1972 carryover funds will also be utilized.

Joint Part C and Part E Funding

All of the Part E assurances and advanced practices will be applied to Part E funds.

Program 9-5: Expansion of Correctional Advisory and Consultative Services

Objective

The objective of this program is twofold: (1) to expand the capability of the State Division of Correction and Parole to raise standards of jails, penitentiaries and workhouses, detention centers and municipal lockups through expanded inspection and consultative services as mandated by law and (2) to continue the comprehensive survey of State corrections custodial needs and preparation of programs for improvement.

In 1971, \$30,000 was provided to expand the State Division of Correction and Parole, Bureau of Operations, from which the inspection of all facilities throughout the State charged with the custody of accused and convicted offenders takes place. In addition, partially as a result of recent inmate disturbances in the State correctional system, a need became apparent to examine comprehensively security capabilities in relationship to equipment, operations, and contingencies.

Implementation

It is expected that all detaining facilities throughout the State will receive at least one annual inspection by the State Division of Correction and Parole, Bureau of Operations, and that all requests for consultative services will be fulfilled. It is further expected that by the end of 1973, a full survey of State level corrections institutional security arrangements will be completed with suitable recommendations for action.

Subgrant Data

The State Division of Correction and Parole is the only eligible applicant.

Budget

	LEAA	State, Local or Other
(1) Part C Block Support	\$42,000	\$14,000
(2) Part E Block Support	-0-	
(3) Program Total	\$42,000	\$14,000
(4) Prior Funding	\$29,765	\$ 9,922

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)	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.
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.

STATE OF NEW JERSEY
STATE LAW ENFORCEMENT PLANNING AGENCY
GRANT APPLICATION

(UNDER PUBLIC LAW 90-351 AS AMENDED)

Four copies required with original signatures

SECTION A

For SLEPA Use Only

PROJECT NUMBER	DATE RECEIVED
FUNDING SECTION NUMBER	SUBGRANT PERIOD
GRANT NUMBER	DATE APPROVED

1. Type of Grant ☐ Planning ☐ Action
2. Type of Application ☐ Initial ☐ Revision of Grant or Project # _____ ☐ Continuation of Grant # _____
3. Short, Descriptive Project Title _____
4. Applicant Unit of Government _____
(STATE AGENCY, COUNTY OR MUNICIPALITY)
5. Implementing Agency _____
6. Project Address _____
7. Project Duration From _____ To _____
(REQUESTED STARTING AND CONCLUDING DATES)
8. Program Area (Number and Title) _____
(FOR ACTION GRANTS ONLY)
9. SLEPA Plan year under which this application is being made: 19____.
10. Project Director
Name _____ Title _____
11. Contact Person (Person directly responsible for project operations)
Name _____ Title _____
Address _____ Telephone Number _____
12. Financial Officer of Unit of Government (if other, specify)
Name _____ Title _____
Address _____ Telephone Number _____
13. Description of Project (describe in detail on ATTACHMENT ONE)
14. 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				
State, local Other cash/in-kind				
TOTAL	100%		100%	

16. 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: _____

ATTACHMENT ONE

Section A — Item 13 DESCRIPTION OF PROJECT

Include, following this sheet, the details as outlined below: (Note: If this is not an initial application for this project, see the information at the bottom before continuing.)

- a. **The Problem.** Describe the nature and scope of the existing problem, including the present status of activities by the applicant or other law enforcement agencies, regarding the problem. This section should clearly justify the reasons why the project is needed.
- b. **Goals and Objectives.** This section should be limited to a precise statement of the specific project goals, objectives, and accomplishments sought that will help to solve or overcome the problem(s) described above.
- c. **Project Activities.** Show a clear, detailed statement of the proposed step-by-step project activities, broken down into phases or tasks. Where appropriate, include a "work schedule chart", showing the amount of time necessary to complete each task.
- d. **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.
- e. **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.
- f. **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.
- g. **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.
- h. **Project Evaluation.** Describe the method by which the project will be evaluated at the end of the first year of operation (or at the end of the project, whichever is earlier) to determine if Goals and Objectives have been attained.
- i. **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.
- j. **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).

CONTINUATION APPLICATIONS. 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. Continuation applications should be submitted approximately three months prior to expiration of the preceding project.

PROJECT NARRATIVE. For further description of the methodology to be used in defining your Problem and preparing clear and concise Goals and Objectives, Project Activities and Project Evaluation, refer to the Applicants Guide, Section 4 entitled "Application Preparation".

INSTRUCTIONS FOR ATTACHMENT TWO

BUDGET DETAIL/BUDGET EXPLANATION

Estimated cost details of the project's budget should be itemized on Attachment 2. If additional space is needed, use Budget Explanation. Costs should be broken down as indicated in the column headings. Some costs may be 100% SLEPA, while others may be part SLEPA and part State and/or local.

CASH OR IN-KIND MATCH

The applicant's cash match is defined as: monies that can be *identified* as appropriated specifically for project purposes. The method of determining values for the in-kind match should be explained fully on the Budget Explanation form.

The required hard cash match must be distinguished from other cash and in-kind services on the Budget Detail. Explanation for computing the matching share (i.e. State Buy-In, Local Required Hard Cash, and Other Cash and In-Kind) can be found in the Applicants Guide.

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 Office of Management and Budget Circular No. A-87 entitled, "Principles for Determining Costs Applicable to Grants and Contracts with State and Local Government" dated May 9, 1968, Office of Management and Budget Circular No. A-102 entitled, "Uniform Administrative Requirements for Grants-In-Aid to State and Local Governments" and LEAA Financial Guide. Except where inconsistent with SLEPA regulations or Circulars A-87, A-102 and LEAA, local procedures and practices will apply to local grant funds, and State procedures and practices will apply to State grant funds.

Accounts and records of the State and local subgrantees must be accessible to authorized federal and State officials for the purpose of audit and examination. The principles are set forth in Office of Management and Budget Circular A-73, "Audit of Federal Grants-In-Aid to State and Local Governments", dated August 4, 1965, and A-102. Circulars A-73 and A-102 are reproduced in the SLEPA Applicants Guide.

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, vacation, should be shown separately.

The project staff should be divided into two categories. The first group would include all sworn police officers and other regular law enforcement personnel at the operational level, including probation, parole, and correction officers, etc. The total cost of compensating this group out of federal (SLEPA) funds may not exceed one-third of the total

SLEPA grant. Cost in excess of the one-third must be carried as part of the applicant's match. (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," p. 31 Financial Guide. There is no limitation placed on the proportion of these salary costs.

To illustrate this requirement: Salaries for police and other regular law enforcement 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.

Another major concern involves ongoing SLEPA funded projects. SLEPA funds may be used to provide no more than 50% of any salary increases from one grant period to another. To illustrate: a project director is paid a salary of \$10,000 for a grant lasting the full calendar year 1972. If the project is continued during 1973 and his salary is raised to \$12,000, the maximum that may be funded out of the SLEPA share would be \$11,000 (\$10,000 base from 1972 plus 50% of the increase of \$2,000).

b. Purchase of Services. List by name or type the consultant to be selected, and show the total estimated costs. A detailed cost estimate should be shown in ATTACHMENT 2, 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. 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.

The Act requires that no more than one-third of total planning funds be utilized for consultant services. This limitation will be administered on a Statewide, total planning program basis. This means that a local subgrantee could exceed one-third if SLEPA determines that the total Statewide average is still below one-third. For that reason, more than one-third consultant services should not be included in a

INSTRUCTIONS FOR ATTACHMENT TWO (cont'd.)

planning grant application unless permission from SLEPA in writing is received in advance.

c. **Travel.** Show travel costs by estimating the number of trips, multiplied by the estimated cost per trip. If possible, show the proposed destination or purpose of the trip(s). Use State rates for travel and subsistence, e.g., ten cents per mile, maximum of \$9.00 per day for three meals, maximum of \$21.00 per day room costs, etc. (Full details should be obtained from the "State of New Jersey Travel Regulations").

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.** 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 (depreciation, maintenance, etc.) that can be accounted for may be used.

f. **Equipment.** Office of Management and Budget Circular A-87 prohibits the purchase of automatic data processing equipment without specific approval by LEAA. SLEPA may approve the purchase of equipment deemed appropriate to programs included in the State Plan. Show the type of equipment, quantity and estimated cost. Also note that the State of New Jersey requires that any item in excess of \$2,500 may be acquired only through a formal bidding process. For full details, refer to N.J. Chapter 198, PL 1971 for information concerning local public contracts law.

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

Applicant _____

ATTACHMENT TWO

SECTION A – ITEM 13. BUDGET DETAIL (Estimate)						
(IF ADDITIONAL SPACE IS NEEDED USE BUDGET EXPLANATION PAGE)						
COST ELEMENT			REQUIRED HARD CASH MATCH			
			SLEPA (FEDERAL) SHARE	STATE BUY-IN PROVISION	STATE/LOCAL CASH	IN-KIND/ OTHER CASH
A. Salaries and wages						
1. Regular law enforcement personnel (see instructions)						
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			\$ _____	\$ _____	\$ _____	\$ _____

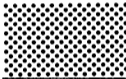

Applicant

ATTACHMENT TWO (Continued)

SECTION A – ITEM 14. BUDGET DETAIL (Estimate)					
(IF ADDITIONAL SPACE IS NEEDED USE BUDGET EXPLANATION PAGE)					
COST ELEMENT	SLEPA (FEDERAL) SHARE	REQUIRED HARD CASH MATCH			PROJECT TOTAL
		STATE BUY-IN PROVISION	STATE/LOCAL CASH	IN-KIND/ OTHER CASH	
B. Purchase of Services: (Show details in Budget Explanation)					
1. Individual consultants (list by individual or type with fee basis and amount of time devoted).					
2. Contracting or Service Organizations and Associations (list each by type with fee basis and amount of time devoted).					
3. Instructional costs for training seminars etc.					
4. Other costs for professional services i.e., psychological/social services.					
Total Purchase of Services	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
C. Travel, Transportation, Subsistence (itemize)					
Total Travel	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

ATTACHMENT TWO (Continued)**SECTION A – ITEM 14. BUDGET DETAIL (Estimate)**

(IF ADDITIONAL SPACE IS NEEDED USE BUDGET EXPLANATION PAGE)

COST ELEMENT	SLEPA (FEDERAL) SHARE	REQUIRED HARD CASH MATCH			PROJECT TOTAL
		STATE BUY-IN PROVISION	STATE/LOCAL CASH	IN-KIND/ OTHER 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 TWO (Continued)

BUDGET EXPLANATION (Add additional pages if needed)

NON-SUPPLANTING CERTIFICATION

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, e.g., Freeholder, Director of _____ County, Mayor of _____, etc.

- (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 sub-grantee'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.

FORM

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 101.15 "APPLICATION AUTHORIZATION" CONSTITUTES CERTIFICATION OF THE ACCURACY AND CORRECTNESS OF THE ABOVE INFORMATION.

**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.)

1. Will the project lead to a noticeable change in the ambient noise level for a substantial number of people?

2. Will the project divide or disrupt an established community as to its historic cultural or natural aspects, including places of unique interest or scenic beauty?

3. Will the project have a significant aesthetic or visual effect?

4. Will the project destroy or derogate from important recreational areas?

5. Will the project substantially alter the pattern or behavior of a non-human species?

ATTACHMENT 4 (cont'd.)

6. Will the project interfere with important breeding, nesting or feeding grounds?

7. Will the project lead to a significant increase in air or water pollution in a given area?

8. Will the project disturb the ecological balance of a land or water area?

9. Will the project involve a reasonable possibility of contamination of public water supply source, treatment facility, or distribution system?

10. Will the project have a detrimental effect on the quality of the human environment including danger to the community or have an adverse impact on the transportation system?

For SLEPA Use:

Approved: _____ Date: _____
SLEPA

Approved: _____ Date: _____
LEAA Regional Office

SIGNATURE OF CHIEF EXECUTIVE OFFICER/STATE AGENCY HEAD ON PAGE 101.15 "APPLICATION AUTHORIZATION" CONSTITUTES CERTIFICATION OF THE ACCURACY AND CORRECTNESS OF THE ABOVE INFORMATION.

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. 91-644

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 Omnibus Crime Control Act of 1970 (P.L. 91-644, 84 Stat. 1880) 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 acceptance of the grant award, the subgrantee will report by letter the steps taken to initiate the project, the reasons for delay, and the expected starting date.

(2) If, after 90 days after acceptance of the award 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 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 subgrantee, as an in-kind 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 Clean 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", 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.

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_____.

SEAL

(SIGNATURE OF CERTIFYING OFFICER)

(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 08618
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		

10. Salary	HOURLY RATE	WEEKLY RATE	11. Monthly Total	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.

**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 single or limited payment funding plan.

Section II—subgrants that do not fit the Section I definition and with a total grant amount in excess of \$10,000.

Section III—subgrants that do not fit the Section I definition and with a total grant amount of \$10,000 or less.

Reports are required on each subgrant as follows:

<i>Subgrant Section</i>	<i>Reporting Frequency</i>
I and III	Each quarter
II	Each month

All reports are due *5 working days* after the end of the reporting period (quarter or month).

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, subgrantee funds and the in-kind match by the subgrantee.

4. The section on cumulative expenditures should show all expenditures, by cost category and by source of funds, since the beginning of the project.

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 and State Buy-In cash on hand (item #6) on the previous report.

2. SLEPA and State Buy-in 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 and State Buy-in cash disbursed during the period. This amount must agree with the reported expenditures of SLEPA and State Buy-in funds on the accompanying Detailed Cost Statement.

4. Unpaid obligations and encumbrances (item #7). These represent signed purchase orders or contracts and outstanding accounts payable expected to be paid during the next 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 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 and State Buy-in funds in the following manner:

1. Section I and III subgrants

A. *Initial fundings* — Expenditures should be estimated through one month past the end of the current report period. For example, if a project is being funded initially in May, expenditures should be estimated for the balance of May, June and July.

B. *Follow-on fundings* — Expenditures should be estimated through one month past the end of the next report period. For example, on a Cash Request submitted by July 5, as part of the reporting for the second quarter, expenditures should be estimated for July, August, September and October.

2. Section II subgrants

A. *Initial fundings* — 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.

B. *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.

3. 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 by the Fiscal Officer. 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
447 Bellevue Avenue
Trenton, New Jersey 08618

**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 _____

DETAILED COST STATEMENT

BUDGET CATEGORIES	APPROVED PROJECT BUDGET				THIS REPORT PERIOD'S EXPENDITURES				CUMULATIVE EXPENDITURES			
	SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		IN-KIND/ OTHER CASH	SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		IN-KIND/ OTHER CASH	SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		IN-KIND/ OTHER 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 law enforcement 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												

Implementing Agency _____ Subgrant # _____

Project Title _____

CASH REPORT

	SLEPA FUNDS (ONLY)	STATE BUY-IN FUNDS (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 labelled
"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 REVISION

BUDGET CATEGORIES	APPROVED PROJECT BUDGET				PROPOSED TRANSFERS				REQUESTED OPERATING BUDGET			
	SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		IN-KIND/ OTHER CASH	SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		IN-KIND/ OTHER CASH	SLEPA (FEDERAL)	REQUIRED HARD CASH MATCH		IN-KIND/ OTHER 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 law enforcement 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, required cash, and subgrantee inkind/other cash match.
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.

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

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.

The political activities of certain state and local employees are the subject of chapter 15, beginning at section 1501. Chief among proscribed activities, pursuant to section 1502, are the influencing of elections, the coercive solicitation of political contributions and the taking of an active part in political management or in political campaigns.

The statute is violated only when the proscribed activities are engaged in by a "state or local officer or employee" which term is defined in section 1501 (4) as

"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.

OFFICE OF MANAGEMENT AND BUDGET (BUREAU OF THE BUDGET) CIRCULAR A-73

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET
WASHINGTON, D.C. 20503

August 4, 1965

CIRCULAR NO. A-73

TO THE HEADS OF EXECUTIVE
DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Audit of Federal grants-in-aid to State and local governments

1. **Purpose.** This Circular sets forth policies to be followed in the audit of Federal grants-in-aid to State and local governments. The primary objectives of this Circular are to promote improved audit practices, and to achieve more efficient use of manpower through improved coordination of the efforts of Federal, State, and local government audit staff. To the extent appropriate, the policies should also be applied to contracts with, and loans to, State and local governments.

2. **Coverage.** This Circular applies to all Federal agencies responsible for administering programs that involve grants-in-aid to State and local governments.

3. **Audit policies.** Federal agencies are responsible for providing adequate audit coverage of grant programs, as a constructive aid in determining whether Federal funds have been applied effectively and in a manner that is consistent with related Federal laws, program objectives, and underlying agreements.

a. **Determination of audit requirements.** Each Federal agency conducting grant programs will establish audit policies for guidance of its internal or independent auditors. For this purpose, the agency will review its individual grant programs to determine the coverage, frequency, and priority of audit required for each program. Such review should include consideration of the following factors:

(1) The dollar magnitude and duration of the grant program.

(2) The extent of Federal matching requirements.

(3) The Federal management needs to be met, as developed in consultation with the responsible program officials.

(4) Prior experience in auditing the program, including the adequacy of the financial management system and controls.

The audit policies of Federal agencies will provide for relying, to the maximum extent feasible, on internal or independent audits performed at the State and local levels and for appropriate use of the principles of statistical sampling.

b. Scope of individual audits. To assist in deciding on the scope of Federal audit required for each grant program, determinations will be made of the adequacy of the internal management control system employed by the grantee — including consideration of whether the accounting records are maintained, and reports are prepared, in accordance with generally accepted accounting principles, and whether audits are carried out in accordance with generally accepted auditing standards. This involves an evaluation of the grantee's organizational arrangements, financial systems, and facilities for audit and other reviews. The aim is to determine whether the management controls provide an effective system that promotes efficient administration and satisfies governing laws and regulations, the audit service is provided on a timely basis by qualified staff, and the auditors have sufficient independence of operations to permit a comprehensive and objective service to management.

Where grantee practices are considered to be acceptable under such standards, Federal audits will be oriented toward establishing the adequacy of the system and controls in operation, supported by a testing of transactions to verify the reliability of the system.

Where the grantee's internal management control system does not meet these standards, Federal agencies will encourage the grantee to review existing practices and bring about necessary improvements, and will cooperate by lending such assistance as may be feasible in developing an appropriate system and orienting grantee staff.

Each Federal agency will make available — on request from another Federal agency — the results and findings of previous audits that identify the adequacy of a grantee's system of financial management and control as well as such other information as will assist in establishing audit requirements and the scope of audit.

c. Arrangements for conduct of audits. In order to conserve manpower, promote efficiency, and minimize the impact of required audits on the operations of grantee organizations, the audit of all grant programs administered under the jurisdiction of a single Federal department should be coordinated in all cases where related authorities and responsibilities are delegated to constituent organizations.

In addition, each grantor agency will give full consideration to establishing cross-servicing

arrangements under which one Federal agency would conduct audits for another — whenever such arrangements are in the best interests of the Federal Government and the grantee. This is particularly applicable where two or more Federal agencies are auditing programs in the same State agency or local unit, or in offices located within the same geographical area. Under such circumstances, it will be the responsibility of the Federal agencies involved to collaborate in determining the feasibility of one of the agencies conducting audits for others, and to work out mutually agreeable arrangements for carrying out the required audits on the most efficient basis. To the extent that problems are encountered which cannot be resolved through such collaboration, the Bureau of the Budget will lend assistance as required.

d. Coordination of Federal, State, and local audits. Federal agencies responsible for conducting audits of grant operations will foster close cooperation and coordination among the auditors of the respective jurisdictions. Continuous liaison, including the exchange of audit standards and objectives, should be maintained among the Federal, State, and local audit groups involved. As a minimum, these groups will collaborate in the development of audit schedules to minimize the amount of effort required, as well as the impact on operations of the grantee offices. While the Federal Government cannot automatically accept audits performed by a representative of the grantee, maximum use should be made of audits performed by the grantee's internal or independent auditors, so as to avoid unnecessary duplication by Federal auditors.

4. Implementation action. Federal agencies administering grants to State and local governments are requested to make a critical review of policies and practices currently followed in the audit of grant programs, and to take such action as is necessary to comply with the policies set forth in this Circular. For this purpose, the head of each agency should designate a central point in the agency to be responsible for seeing that this is done expeditiously.

Each Federal agency subject to this Circular will submit a report (original and one copy) to the Bureau of the Budget by March 31, 1966, as to the actions taken and progress made toward: (a) establishing and publishing statements of audit requirements; (b) coordination of audits within the agency; (c) establishing cross-servicing arrangements; and (d) coordinating Federal audit work with that of the State and local governments concerned.

CHARLES L. SCHULTZE
Director

OFFICE OF MANAGEMENT AND BUDGET
(BUREAU OF THE BUDGET)
CIRCULAR A-87

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET
WASHINGTON, D.C. 20503

May 9, 1968

CIRCULAR NO. A-87

**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.

PHILLIP S. HUGHES
Acting Director

**PRINCIPLES FOR DETERMINING
COSTS APPLICABLE TO GRANTS
AND CONTRACTS
WITH STATE AND LOCAL GOVERNMENTS**

ATTACHMENT A
Circular No. A-87

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 Circular No. A-87

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

Office of Management and Budget Circular No. A-102

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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 to 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.

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.

