

13:80A-2.4 Application components

(a) A completed application for program funds shall include the following minimum information:

1. The governmental level and type of agency;
2. The name, address and contact information for the applicant agency and its head;
3. The name, address and contact information of the agency's governing body and its chief financial officer;
4. Eligible officer information;
5. Disclosure of status of prior body armor fund awards and number of vests purchased;
6. A certification signed by the applicant agency head and the governing body's chief financial officer, that the information contained in the application is true to the best of their knowledge and belief, and that all grant funds will be used exclusively for the purpose specified in the grant award; and
7. Additional information concerning applicants' officers, the age, condition, and usage of the officers' body armor, the applicants' crime rates and any relevant factors regarding risk of injury or death to applicants' officers, may be requested by the Division of Criminal Justice for planning purposes.

(b) The Division of Criminal Justice may require additional information from an applicant beyond that requested in the application form.

13:80A-2.5 Confidentiality

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

SUBCHAPTER 3. PROGRAM GRANTS

13:80A-3.1 Initial and successive program grants

Initial grants to eligible applicants shall be awarded at the conclusion of the State Fiscal Year 1998. Successive grants shall be awarded following the conclusion of ensuing State fiscal years, upon determination of available funds.

13:80A-3.2 Selection criteria

(a) Each applicant that submits a completed application by the deadline date specified in the notice of availability of funds shall be eligible to receive a base grant award.

(b) The Division of Criminal Justice shall notify any applicant that has submitted an incomplete application or who has been determined to be ineligible to receive an award, of that fact and the reasons therefor.

13:80A-3.3 Requests for reconsideration; no appeal of awards

(a) Within 10 days after receipt of notification of a determination of ineligibility to receive a grant, an applicant may submit additional information to the Division of Criminal Justice which shall reconsider the grant application.

(b) No appeal shall be considered of any award made to a grantee.

13:80A-3.4 Grant award process

(a) Each eligible applicant shall receive the same base grant award in an amount determined by the Director. The minimum base grant award shall be \$500.00.

(b) Consistent with the implementing legislation's goal of a five-year replacement program, each eligible applicant shall be qualified to receive additional grant funds to assist in offsetting the costs of achieving its annual replacement allotment, if funds are available.

(c) Additional grant funds shall be distributed to eligible applicants if available funds remain from the amount of monies deposited in the Fund as of June 30 minus allotments made by the Act to the Department of Law and Public Safety for administrative expenses and to the Department of Personnel for the Law Enforcement Officer Crisis Intervention Services Hot Line, and the amount necessary to make all of the base grant awards.

(d) The additional award to an eligible applicant shall be determined using the following formula:

$$\frac{\text{Additional award} = (\text{eligible applicant's annual replacement allotment}) \times \text{available funds}}{(\text{Total of all eligible applicants' annual replacement allotments})}$$

(e) Each applicant shall be notified of its base grant award and additional grant award at the time it receives its grant check.

(f) The Director reserves the right to adjust, in a subsequent year, any individual grant award upon determination that the applicant's prior grant award was based upon a computational or informational error.

13:80A-3.5 Deposit of grant monies; unallowable expenses

(a) The grant award shall be forwarded to the chief financial officer for deposit into an appropriate account.

(b) No indirect costs or administrative expenses shall be deducted from these program funds by a grantee or its governing body.

13:80A-3.6 Body armor eligible to be purchased

(a) An applicant shall purchase only ballistic resistant body vests that meet the standards for such body armor as defined at N.J.A.C. 13:80A-1.4. An applicant shall purchase only ballistic resistant body armor models identified in the Fall, 1997 edition of the Consumer Product List (CPL), as amended and supplemented, published by the National Institute of Justice (NIJ), National Law Enforcement and Corrections Technology Center as having met the requirements of Ballistic Resistance of Police Armor: NIJ Standard-0101.03 (April 1987) or as subsequently amended by the NIJ.

1. In accordance with the above provision, the applicant agency head, in the reasonable exercise of discretion, shall determine the threat level, style and model of body armor to be purchased for the eligible officers.

(b) An applicant shall purchase only stab resistant body vests that meet the standards for such body armor as defined at N.J.A.C. 13:80A-1.4.

1. In accordance with the above provision, the applicant agency head, in the reasonable exercise of discretion, shall determine the threat level, style and model of body armor to be purchased for the eligible officers.

(c) Except as provided in (c)1 below, the applicant agency head, in the reasonable exercise of discretion, shall determine the replacement program and the scheduling of eligible officers to receive body armor.

1. The State Department of Corrections shall establish a distribution schedule that gives first priority to State corrections officers assigned inmate supervision and control responsibilities in the State's maximum security correctional facilities and second priority to those officers assigned inmate supervision and control responsibilities in the State's medium security correctional facilities.

SUBCHAPTER 4. GRANTEE ACCOUNTABILITY
13:80A-4.1 Expenditure of funds; return of unexpended funds

(a) Each agency that receives a grant shall make every reasonable effort to expend the award within one year of receipt.

(b) The Division of Criminal Justice may require the return of all funds not expended within one year of receipt, unless the grantee demonstrates that good cause exists to retain the funds.

13:80A-4.2 Reporting requirements

Applicants shall maintain a bookkeeping system, records, invoices and separate grant files to account for all grant monies received and expended and they shall be made available to the Division of Criminal Justice upon request.